

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

FINAL MEETING OF CURRENT BOARD

NOVEMBER 16, 2010

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. ADOPTION OF AGENDA**
- 3. CALL FOR UNFINISHED BUSINESS**
- 4. COMMENTS FROM COMMISSIONERS**
- 5. STAFF COMMENTS**
- 6. COMMENTS FROM THE PUBLIC**
- 7. ADJOURNMENT**

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**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

REORGANIZATIONAL MEETING

NOVEMBER 16, 2010

**TUESDAY
9:45 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
(Sharon R. Bock, Clerk & Comptroller, presides)
- 2. OATH OF OFFICE TO NEWLY ELECTED COUNTY COMMISSIONERS**
(To be administered by Sharon R. Bock, Clerk & Comptroller)
- 3. ADOPTION OF AGENDA**
- 4. ELECTION OF CHAIRPERSON**
- 5. ELECTION OF VICE CHAIRPERSON**
(New Chair, presides)
- 6. COMMENTS FROM COMMISSIONERS**
- 7. COMMENTS FROM THE PUBLIC**
- 8. ADJOURNMENT**

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**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

NOVEMBER 16, 2010

**TUESDAY
10:00 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 10)
- 3. CONSENT AGENDA** (Pages 11 - 51)
- 4. PUBLIC HEARINGS - 10:00 A.M.** (Page 52)
- 5. REGULAR AGENDA** (Pages 53 - 56)
- 6. BOARD APPOINTMENTS** (Pages 57 - 61)
- 7. MATTERS BY THE PUBLIC - 2:00 P.M.** (Page 62)
- 8. STAFF COMMENTS** (Page 63)
- 9. COMMISSIONER COMMENTS** (Page 64)
- 10. ADJOURNMENT** (Page 64)

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- 2B Joey Bergsma Retinoblastoma Awareness Month
- 2C World AIDS Day
- 2D Hunger and Homelessness Awareness Week
- 2E Alzheimer’s Awareness Month
- 2F Prematurity Awareness Month & Prematurity Awareness Day

CONSENT AGENDA

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- 3A-1 Resolutions supporting FDOT’s South Florida East Coast Corridor project
- 3A-2 Interlocal Agreement with Solid Waste Authority for Inspector General services
- 3A-3 Contract with Palm Beach County Black Business Investment Corporation for consulting and financial assistance to small businesses
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- 3A-5 Waiver/Amendment No. 4 with Business Development Board of Palm Beach County, Inc. for business recruitment, retention, and expansion services
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- 3A-7 Budget Transfer/Transfer of three (3) technology support staff positions from Community Services to ISS as part of an efficiency reorganization
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- 3A-9 Bonds for newly elected or re-elected Commissioners

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- 3A-10 Consulting/Professional Services Contract with The Business Loan Fund of the Palm Beaches for assistance and support services to small businesses
- 3A-11 Contract for Consulting/Professional Services with The Enterprise Development Corporation of South Florida, Inc. for facilitate the creation and growth of high technology companies
- 3A-12 Contract for Consulting/Professional Services with The Center for Technology, Enterprise and Development, Inc. for business resources and support services for business opportunities

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- 3B-3 Contracts and claim settlements list
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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 62)

STAFF COMMENTS (Page 63)

COMMISSIONER COMMENTS (Page 64)

ADJOURNMENT (Page 64)

2. SPECIAL PRESENTATIONS – 10:00 A.M.

- A. Proclamation declaring November 2010 as “National Family Caregivers Month” in Palm Beach County. (Sponsored by Commissioner Abrams)

- B. Proclamation declaring December 2010 as “Joey Bergsma Retinoblastoma Awareness Month” in Palm Beach County. (Sponsored by Commissioner Taylor)

- C. Proclamation declaring December 1, 2010 as “World AIDS Day” in Palm Beach County. (Sponsored by Commissioner Vana)

- D. Proclamation declaring November 14-20, 2010 as “Hunger and Homelessness Awareness Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)

- E. Proclamation declaring December 2010 as “Alzheimer’s Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)

- F. Proclamation declaring November 2010 as “Prematurity Awareness Month” and November 17, 2010 as “Prematurity Awareness Day” in Palm Beach County. (Sponsored by Commissioner Taylor)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 2010-285 of the City Commission of the City of Pompano Beach, Florida, expressing support for the Florida Department of Transportation's SFECC Corridor Project (from Jupiter to Miami) and its affiliated regional and county transportation agencies; acknowledging potential station locations; acknowledging the City of Pompano Beach's commitment to the project to enhance mobility in the Southeast Florida Region; and

B) Resolution No. 55-10 of the Town Council of the Town of Jupiter, Florida, supporting the Florida Department of Transportation's South Florida East Coast Corridor project (from Jupiter to Miami) and its affiliated regional and county transportation agencies; acknowledging the Town of Jupiter's commitment to the project to enhance mobility in the Southeast Florida Region.

2. Staff recommends motion to approve: an Interlocal Agreement (ILA) between Palm Beach County and the Solid Waste Authority for the provision of Inspector General services at the Authority for a term ending September 30, 2013. **SUMMARY:** The Inspector General (IG) will exercise the authority, functions and powers granted by the Inspector General Ordinance for the Solid Waste Authority. The Authority will pay the County \$250,000 for FY '11 with funding for future years to be based upon the IG's previous years' activities under the Agreement. The parties will amend the ILA to provide for a separate scope of work and additional budget for Authority contracts in excess of \$25,000,000. Countywide (MC)

3. Staff recommends motion to approve: a Contract for Consulting/Professional Services with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$54,000 from October 1, 2010, to September 30, 2011. **SUMMARY:** The major objectives of the BBIC are to develop existing businesses, support the formation of new businesses, and to foster increased employment and social stability within the black community. This Contract with the BBIC will provide for operational expenses necessary to provide consulting and financial assistance to existing and start-up small businesses in Palm Beach County. The scope of services outlined for FY 2011 include: obtaining four (4) business loan approvals from banking/financial institutions in the amount of \$500,000, serving 270 clients, and creating/retaining 25 full-time equivalent (FTE) jobs. Funding is included in the 2011 budget. This \$54,000 Contract is reduced from last year's level of \$60,000. Countywide (DW)

4. Staff recommends motion to adopt: a Resolution by the Board of County Commissioners of Palm Beach County, Florida supporting the full funding of the Department of Energy's Energy Efficiency and Conservation Block Grants by President Obama and Congress in FY 2012. **SUMMARY:** Funded in 2009 as part of the American Recovery and Reinvestment Act, the Energy Efficiency and Conservation Block Grants are empowering thousands of cities and counties to create new clean energy jobs through investments in building efficiency, community scale renewable energy, and other projects that save energy. The grant program will end in 2011 without action by the Obama Administration and Congress. Palm Beach County staff fully supports the Energy Block Grants Work campaign and will work to demonstrate to the White House, U.S. Department of Energy and Congress that we are effectively using our Energy Efficiency and Conservation Block Grant (EECBG) to decrease energy use, curb greenhouse gas emissions, and create jobs. The retrofits funded by the EECBG program are expected to create and retain a total of 143 jobs, achieving energy savings of 20%. **No County matching funds are required to complete this project.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to approve:

A) a waiver of prohibited relationship pursuant to Palm Beach County Code of Ethics, Article XIII, the Palm Beach County Code of Ethics for Kelly Smallridge of the Business Development Board of Palm Beach County, Inc., a member of the Overall Economic Development Program Committee;

B) Amendment No. 4 to the Business Development Board of Palm Beach County, Inc., Five-Year Agreement (R2006-1998) in the amount of \$931,470 for the remaining year of the Agreement from October 1, 2010, to September 30, 2011; and

C) a modification of the Scope of Services for FY 2011.

SUMMARY: The Board of County Commissioners entered into an Agreement with the Business Development Board of Palm Beach County, Inc. to provide business recruitment assistance, business retention activities and business expansion services in Palm Beach County (PBC). PBC and the Business Development Board of Palm Beach County, Inc. entered into a public-private partnership to promote the County, attract new businesses and assist in creating new industries in the County. A prohibited relationship waiver is being recommended for Kelly Smallridge, President for the Business Development Board of Palm Beach County, Inc. who serves on the Overall Economic Development Program Committee. The individual has disclosed this relationship and is requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waiver is being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of the individual on the advisory board. The Agreement period is from October 1, 2006, through September 30, 2011 and it is in the fifth year of the term. Countywide (DW)

6. Staff recommends motion to approve: Amendment No. 1 to Agreement with the Lester Family Investment L.P., Richard Thall, Robert Thall, Peter L. Briger, Paul H. Briger and the David Minkin Florida Realty Trust. **SUMMARY:** On November 6, 2007, the Board of County Commissioners approved Agreement (R2007-1888) to jointly fund professional services related to a joint application for a Development of Regional Impact, Future Land Use Amendment, Concurrency Approval, Planned Community Development and a Conceptual Environmental Resource Permit for the 683 acre Briger Site, including 70 acres for Scripps (1.6 Million SF) and 100 acres for 2.4 Million SF of Bioscience use, in the amount of \$716,662. Amendment No. 1 provides for an additional \$750,868 in additional services. In accordance with the Agreement, \$510,590 (68%) will be paid for by the Lesters and \$240,278 will be paid for by the County. The additional costs are partially attributable to petitions being filed challenging the State's intent to find the City of Palm Beach Gardens Comprehensive Plan Amendment in compliance and the issuance of the South Florida Water Management Environmental Resource Permit. This Amendment also incorporates the Inspector General Language pursuant to Ordinance No. 2009-049. Funds for the Amendment will come from the County's 2007 \$6.5 Million Bond Issuance for Scripps on Briger. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

7. Staff recommends motion to approve:

A) Budget Transfer of \$162,228 from the Community Services Department to the Information Systems Services (ISS) Department to implement a transfer of information technology support staff; and

B) transfer of three (3) FTE positions from the Community Services Department to the ISS Department as part of an efficiency reorganization.

SUMMARY: These actions will allow the transfer of three (3) full-time Information Technology (IT) positions from Community Services to ISS as part of an efficiency reorganization. The budget transfer represents the costs of salaries and fringe benefits with a retroactive effective date of October 1, 2010. Under this reorganization, ISS will assume responsibility for providing IT services, including help desk, desktop support, and server support, to the Community Services Department. The centralization and consolidation of IT services in this manner is expected to reduce overall costs while maintaining or improving the quality of services. Countywide (TKF)

8. Staff recommends motion to approve:

A) an Amendment to the program budget of the Community Development Block Grant (CDBG) Economic Set-Aside Program FY 2010/2011 in the amount of \$785,124; and

B) First Amendment to the FY 2010/2011 Annual Action Plan (R2010-1157), to provide funding for three (3) non-profit organizations and the Economic Development Office totaling \$785,124 under the Community Development Block Grant Economic Set-Aside Program FY 2010/2011.

SUMMARY: The proposed Amendment will allow for the funding of three (3) non-profit organizations and the Economic Development Office to provide assistance and support services for the development of microenterprises. The individual organizations include: The Center for Technology, Enterprise and Development (TED Center), Inc. (\$190,080), the Enterprise Development Corporation (EDC) of South Florida, Inc. (\$63,360) and the Business Loan Fund (BLF) of the Palm Beaches, Inc. (\$144,000). These Funds were included in the approved FY2010/2011 budget. **These are Federal Community Development Block Grant funds which do not require a local match.** Countywide (DW)

9. Staff recommends motion to approve and file with the Clerk of the Circuit Court:

the bonds on the newly elected or re-elected Commissioners of Palm Beach County.

SUMMARY: Immediately following the election newly elected or re-elected Commissioners must secure bonding for presentation to the Board of County Commissioners for approval pursuant to Section 137.01, Florida Statutes. Section 137.01 requires that such official bonds must be approved by the Board and then filed with the Clerk of the Circuit Court. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

10. Staff recommends motion to approve: a Consulting/Professional Services Contract with The Business Loan Fund of the Palm Beaches, Inc. totaling \$144,000 funded under the Community Development Block Grant Economic Set-Aside Program FY 2010/ 2011 for the period of October 1, 2010, to September 30, 2011. **SUMMARY:** The Business Loan Fund (BLF) of the Palm Beaches, Inc., a community development financial institution, is a non-profit organization whose mission is to provide micro loans to start-up and existing businesses. The primary objective of the BLF is to provide assistance and support services involving credit, loans and loan guarantees to small businesses and microenterprises. The Contract with the BLF will provide for operational expenses necessary to provide business assistance and support services for the development and expansion of microenterprises defined as “commercial enterprises” that have five (5) or less employees. The scope of services for FY 2010/2011 include: the closing of 20 loans in the amount of \$350,000, serving 250 clients and creating a minimum of ten (10) full-time equivalent (FTE) jobs. Funding for the BLF totaling \$144,000 is included in the FY 2010/2011 budget. **These are Federal Community Development Block Grant Funds which do not require a local match.** Countywide (DW)
11. Staff recommends motion to approve: a Contract for Consulting/Professional Services with The Enterprise Development Corporation of South Florida, Inc. totaling \$63,360 funded under the Community Development Block Grant Economic Set-Aside Program FY 2010/2011 for the period of October 1, 2010, to September 30, 2011. **SUMMARY:** The Enterprise Development Corporation (EDC) of South Florida, Inc. is a non-profit organization whose mission is the development of an innovation-based economy through the creation of high skill, high wage jobs in key industries that are driving global commerce. The primary objective of the EDC is to facilitate the creation and growth of high technology companies. The Contract with the EDC will provide for operational expenses necessary to provide business assistance and support services for the development and expansion of microenterprises defined as “commercial enterprises” that have five (5) or less employees. The scope of services for FY 2010/2011 includes creating a minimum of five (5) full-time equivalent (FTE) jobs. Funding for EDC is included in the approved FY 2010/2011 budget. **These are Federal Community Development Block Grant Funds which do not require a local match.** Countywide (DW)
12. Staff recommends motion to approve: a Contract for Consulting/Professional Services with The Center for Technology, Enterprise and Development, Inc. totaling \$190,080 funded under the Community Development Block Grant Economic Set-Aside Program FY 2010/2011 for the period of October 1, 2010, to September 30, 2011. **SUMMARY:** The Center for Technology, Enterprise and Development, Inc. (TED Center), a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of small businesses. The primary objective of the TED Center is to provide business resources and support services for business opportunities. The Contract with the TED Center will provide for operational expenses necessary to provide countywide business assistance for the development and expansion of microenterprises defined as “commercial enterprises” that have five (5) or less employees. The scope of services for FY 2010/2011 includes creating a minimum of 15 full-time equivalent jobs countywide. Funding for the TED Center totaling \$190,080 is included in the approved FY 2010/2011 budget. **These are Federal Community Development Block Grant Funds which do not require a local match.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during September 2010. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to receive and file:** a Contract with Cross Environmental Services, Inc., a Miami-Dade firm, in the amount of \$25,419 for demolition services for West Atlantic Avenue from west of Lyons Road to Starkey Road. This Agreement was approved on September 14, 2010 by the County Engineer, as a delegated authority in accordance with the Purchasing Code. **SUMMARY:** This Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. The FDOT had an existing contract with this firm and encouraged us to expedite the process by "piggybacking" their contract. District 5 (MRE)
2. **Staff recommends motion to receive and file:** a Contract with Cross Environmental Services, Inc., a Miami-Dade firm, in the amount of \$8,143.75 for asbestos abatement services for West Atlantic Avenue from West of Lyons Road to Starkey Road. This Agreement was approved on September 14, 2010 by the County Engineer, as a delegated authority in accordance with the Purchasing Code. **SUMMARY:** This Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. The FDOT had an existing contract with this firm and encouraged us to expedite the process by "piggybacking" their contract. District 5 (MRE)
3. **Staff recommends motion to adopt:** a Resolution authorizing the County Administrator and his designee: the County Engineer, Deputy County Engineer, Assistant County Engineer, Director of Roadway Production Division, Director of Engineering Services Division and Director of Traffic Division to execute construction agreements with the Florida Department of Transportation (FDOT). **SUMMARY:** Resolution No. 2005-0948 authorized certain Engineering personnel to sign permit applications on behalf of Palm Beach County. FDOT is no longer accepting permit applications for projects that have a significant impact on their roadways, and is instead requiring execution of a construction agreement. Approval of this Resolution will allow these personnel to execute the construction agreements on behalf of Palm Beach County. Countywide (MRE)
4. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to:

A) approve a 150 calendar day Contract with Centerline Utilities, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$490,386.82, for the Grove Street Outfall, Project No. 2008909 (Project);

B) approve a Budget Amendment of \$467,780 in the Capital Outlay Fund to recognize the grant from the Federal Emergency Management Agency and allocate it to the Project; and

C) authorize the Board of County Commissioners to execute a Federally Funded Subgrant Agreement (Agreement) with the Florida Division of Emergency Management for the construction of the Project.

SUMMARY: Approval of this Contract, Budget Amendment and Agreement execution will allow for the construction of drainage improvements for Grove Street, Evans Lane and the area south to the L-4 Canal. The Agreement requires the County's Local Share of the project funding to be 25%. The duration of the Agreement is from August 16, 2010, to February 16, 2012. Work includes new drainage pipe and structures, french drain, pavement, and driveway reconstruction. The Contractor is a Palm Beach County (County) business with 16% of work to be performed by County subcontractors. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 16.21% overall. District 6 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: an amended Agreement for legal services with Kaplan Kirsch and Rockwell LLP. **SUMMARY:** On July 20, 2010, the County Attorney approved an agreement allowing the law firm of Kaplan Kirsch and Rockwell LLP to represent the County in a case captioned Donald Trump et al. v. Palm Beach County, Case No. 502010CA018444, in the Fifteenth Judicial Circuit, for an amount not to exceed \$50,000. As the case has progressed, it has become apparent that authorization for greater legal fees is required to allow for continued legal representation through the resolution of the case. The amended Agreement would apply to legal expenses incurred after July 20, 2010, and would be limited to an amount not to exceed \$500,000. The Agreement also provides for reimbursable costs up to \$20,000, for a total of \$520,000. As a cost-savings measure, the amended Agreement provides that the County Attorney's Office will perform all routine legal services not requiring expertise in aviation law, such as drafting discovery, defending/taking depositions, and attending hearings. Countywide (ATP)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Contract with Christians Reaching Out to Society, Inc. (CROS) for the period of October 1, 2010, through September 30, 2011 in an amount not to exceed \$43,000 to provide gleaning services. **SUMMARY:** The Community Action Program (CAP) has received funds from the Department of Community Affairs to provide nutrition support services. As a result, CAP is contracting with CROS Inc. to provide gleaning services to homeless shelters, day care centers, senior centers, and emergency food pantries. Gleaning is the gathering of excess produce after the fields have been harvested. The Contract is funded through a combination of State grant and County funds. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Family Central, Inc., for the period of October 1, 2010, through September 30, 2011, in an amount of \$119,879 for services to Early Head Start children and families. **SUMMARY:** The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide child care services. As a result, Head Start is contracting with Family Central, Inc. to provide services to 16 infants, toddlers and pregnant women for 249 days at a rate of \$30.09 per child/per day. The Agreement is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

3. Staff recommends motion to approve: Early Head Start Contracted Services Expansion Agreement with Family Central, Inc. for the period of September 30, 2010, through September 29, 2011, in an amount of \$292,204 for services to Early Head Start children and families. **SUMMARY:** The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide child care services. As a result, Head Start is contracting with Family Central, Inc. to provide services to 39 infants, toddlers and pregnant women for 249 days at a rate of \$30.09 per child/per day. The Agreement is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

4. Staff recommends motion to:
 - A) ratify** the signature of the Chair Aaronson on the 2010 State of Florida Department of Children and Families (DCF) Homeless Housing Assistance Grant Application;
 - B) delegate** authority to the County Administrator or his designee to sign the State of Florida Department of Children and Families contract for the Homeless Housing Assistance Grant;
 - C) delegate** authority to the County Administrator or his designee to sign the contract with Friendship Baptist Church for a period ending June 30, 2011, for the maximum amount of \$344,320, for the rehab of transitional housing units for youth aging-out of foster care; and
 - D) approve** an upward Budget Amendment of \$344,320 in the General Fund, in Human Services Division to reconcile the Homeless Housing Assistance Grant budget, contingent upon the grant award.

SUMMARY: The Division of Human Services is applying for funding to provide transitional housing through the 2010 Homeless Housing Assistance Grant. DCF will allocate funds based on the applicant's ranking and availability of funding. Upon receipt of the grant award, funds will be subcontracted to Friendship Baptist Church for the rehabilitation of four buildings, creating 11 transitional housing units for youth aging-out of foster care. Currently, Friendship Baptist Church Pastor William Washington serves on the Homeless Advisory Board (HAB). However, upon receipt of these funds, Pastor Washington will resign from the HAB to avoid a prohibited relationship as defined by the Palm Beach County Code of Ethics. Authority for Mr. Weisman to sign the subcontract is being requested to facilitate timely spending of the funds which must be expended by June 30, 2011. No County funds are required. (Human Services) Countywide (TKF)

5. **DELETED**

6. **DELETED**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve:

A) a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics:

- 1) Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County, Melissa Jenkins, a member of the Palm Beach County HIV Care Council;
- 2) Coalition for Independent Living Options, Inc., Maite Reyes-Coles, a member of the Commission on Affordable Housing and Genevieve Cousminer, a member of the Emergency Shelter Grants Program Advisory Board;
- 3) Legal Aid Society of Palm Beach County, Inc., Kimberly Rommel Enright, Esq., a member of the Palm Beach County HIV Care Council; and
- 4) Oakwood Center of the Palm Beaches, Inc., Linda DePiano, a member of the Criminal Justice, Mental Health & Substance Abuse Planning Council, and Thomas McKissack of Oakwood Center of the Palm Beaches, Inc., a member of the Palm Beach County HIV Care Council.

B) contracts with 14 financially assisted agencies totaling \$3,738,349 for the indicated activities, for the period October 1, 2010, through September 30, 2011:

- 1) Big Brother/Big Sisters of Palm Beach & Martin Counties - \$40,062 for services specifically targeting at-risk 8th graders to provide mentorship and guidance;
- 2) Boys & Girls Club of Palm Beach County - \$150,822 for year-round services that offer a variety of activities in six (6) core areas which include: health and life skills; education and career development; the arts; technology; sports, fitness and recreation; and character and leadership development;
- 3) Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County - \$133,309 for the Family Self-Sufficiency Program serving economically disadvantaged families who are presently receiving rental assistance through the Delray Beach Housing Authority and Kin Support which helps relative caregivers sustain healthy family functioning;
- 4) Child Protection Team of Palm Beach, Inc. - \$160,000 to fund medical evaluations for children who are the alleged victims of abuse, neglect and /or abandonment and are referred to CPT by law enforcement, DCF and or the courts;
- 5) Coalition for Independent Living Options, Inc. - \$246,113 for independent living skills training, advocacy, information and referral, and peer support services to individuals with disabilities and to provide after-school services to disabled adolescents;
- 6) Drug Abuse Treatment Association, Inc. (DATA) - \$259,631 for residential treatment (Walter D. Kelly Treatment Center) and adolescent outpatient treatment services;
- 7) Deaf Service Center of Palm Beach County, Inc. - \$237,564 for client assistance and communication, resources and education;
- 8) Intercultural Family Health Education Center - \$241,520 for outreach to Haitian-Americans to provide and refer different types of services, including but not limited to mental health;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. MOTION/TITLE CONTINUED

9) Legal Aid Society of Palm Beach County, Inc. - \$90,000 for guardian advocacy and legal case management to developmentally disabled youth aging out of the foster care system and individuals under 60 adjudicated incapacitated;

10) Oakwood Center of the Palm Beaches, Inc. - \$1,680,545 for operation of a licensed in-patient psychiatric hospital providing assessment and treatment on a twenty-four hour basis for high-risk populations. They provide services in both the north county area and in Belle Glade. Services include adult/child crisis stabilization, the Pregnant and Addicted (PANDA) Program, residential detoxification services, and adult/child medical out-patient services;

11) Parent-Child Center, Inc. – \$243,285 for children’s outpatient intervention and prevention services;

12) The Children’s Place at Home Safe, Inc. - \$41,746 for short-term, intensive treatment and coordinated services to children and families victimized by domestic violence;

13) The Haven, Inc. - \$128,752 for prevention/intervention of child abuse through a therapeutic foster-care program; and

14) Urban Youth Impact, Inc. - \$85,000 for after school education/social programs for inner-city elementary and middle school students at risk for school dropout and delinquency;

SUMMARY: On July 13, 2010, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency Program. The information submitted reflects part of the total \$13,638,671 funding approved by the Board of County Commissioners for FY 2011. Prohibited relationship waivers are being recommended for six (6) employees of Financially Assisted Agencies funded programs who serve on County advisory, commission and council boards. These individuals disclosed this relationship and are requesting a wavier pursuant to Section 2-443(d) of the Code of Ethics. The waivers are being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of these individuals on the advisory boards. Other contracts will be forthcoming upon receipt of all the required information. (Financially Assisted Agency Program) Countywide (TKF)

8. Staff recommends to receive and file: Contract 10EA-8F-10-60-01-023 Low Income Home Energy Assistance (LIHEAP) Grant Modification with the State of Florida Department of Community Affairs (DCA) for the period March 1, 2010, through March 31, 2011, in an amount not-to-exceed \$6,741,166 for energy assistance. **SUMMARY:** The fully executed document signed by the Board of County Commissioners (R2010-0322) has been returned to Community Action and requires submission to the Clerk’s office for filing. LIHEAP funds of \$4,394,090 with a base increase of \$2,347,076 will enable Palm Beach County Community Action Program to provide assistance to 10,120 low-income households with energy bills and crisis assistance to prevent service disconnection or restore utility service. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to approve: Contract with New Beginnings Community Development Center, Inc. for the period October 1, 2010, through September 30, 2011, in the amount of \$49,000, to deliver self sufficiency services to low-income individuals and families. **SUMMARY:** The Community Action Program (CAP) has received funds from the Department of Community Affairs to provide self sufficiency services to low-income households. As a result, CAP is contracting with New Beginnings Community Development Center, Inc., a not-for-profit agency, to provide a range of services to low-income households in Palm Beach County. The Contract is funded through a combination of State grant and County funds. (Community Action Program) Countywide (TKF)

F. AIRPORTS

1. Staff recommends motion to approve: a License Agreement ("Agreement") with the United States of America, acting through the Transportation Security Administration (TSA), providing a license for the use of security checkpoint and baggage makeup areas at the Palm Beach International Airport (PBIA) at no cost to the TSA and for the reimbursement of the County for janitorial services in the amount of \$6,000 per month, commencing December 1, 2010. **SUMMARY:** Pursuant to the Aviation and Transportation Security Act (ATSA) of 2001, the TSA is required to conduct screening of all passengers, property and baggage. In order to carry out its statutory mandate, the TSA requires use of security checkpoint and baggage makeup areas at PBIA. Although the County is not permitted to charge the TSA for use of the security checkpoint and baggage makeup areas under the ATSA, this Agreement is necessary to formalize the obligations of the TSA and County related to use of the areas by the TSA. This Agreement also provides for the reimbursement of the County for janitorial services performed by the County's janitorial contractor at the security checkpoint and baggage makeup areas. Countywide (AH)
2. Staff recommends motion to approve: an Internal Memorandum of Understanding for the Purchase and Sale of Wetland Mitigation Credits between the Parks and Recreation Department (Parks) and Department of Airports (DOA), providing for the sale of a minimum of 16 wetland mitigation credits from Parks to DOA for \$60,000 per credit. **SUMMARY:** Parks has initiated a project within Okeetee Park South for the creation and enhancement of approximately 50 acres of wetlands. The Park's project is anticipated to result in the creation of approximately 21 wetland mitigation credits. DOA has also initiated a project at the North County General Aviation Airport to fill in certain designated wetlands for the purpose of addressing wildlife hazards that have the potential of impacting aircraft operations. Parks has agreed to sell DOA 16 mitigation credits at \$60,000 per credit for the DOA project. The MOU also provides DOA with the option to purchase additional credits as they become available at a negotiated rate. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve:

A) No Cost Land on Airport Memorandum of Agreement (MOA) with the Federal Aviation Administration (FAA), providing for the operation and maintenance of FAA-owned navigation, communication and weather aid facilities for the support of air traffic operations at the Palm Beach International Airport (PBIA), commencing October 1, 2010 and expiring September 30, 2030; and

B) Land Lease on Airport (Lease) with the FAA, providing for the lease of 4.37 acres associated with the construction, operation and maintenance of the new air traffic control tower on PBIA, commencing October 1, 2010 and expiring September 30, 2030, at no cost to the FAA.

SUMMARY: The MOA and Lease will replace the Master Ground Lease No. DTAF06-95-L-15144 (R95-1251D), as amended (Master Lease) with the FAA with the exception of Exhibit 3 to the Master Lease relating to the operation of the existing air traffic control tower located on the south side of PBIA. Exhibit 3 will remain in place until the new air traffic control tower is fully operational. The MOA provides for operation and maintenance of certain FAA-owned navigation, communication and weather aids on PBIA. The Lease details responsibilities of the parties relating to the operation and maintenance of the new air traffic control tower and associated facilities such as airfield lighting. The MOA and Lease are being provided at no cost to the FAA in consideration of the obligations assumed by the FAA to operate and maintain facilities necessary for the operation of PBIA. Countywide (AH)

4. Staff recommends motion to approve: First Amendment to Advertising Concession Agreement (Amendment) with In-Ter-Space Services, Inc., d/b/a Clear Channel Airports (Clear Channel), providing for a modification to audit reporting requirements. **SUMMARY:** On February 24, 2009, the Board approved the Advertising Concession Agreement (R2009-0280) for the operation of an advertising concession in the Palm Beach International Airport. In addition to reporting total gross revenues, the audit provisions in the Advertising Concession Agreement require reporting of revenue by advertising display unit. Clear Channel has indicated that it does not maintain revenue information by unit and has requested the right to provide the revenue information by advertising contract. The modification to the audit requirements is minor and is not essential to verifying the accuracy of payments to the County. This Amendment also includes provisions pertaining to audits and inspections by the Inspector General. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to receive and file: twenty (20) original Agreements for the Department of Airports:
- A)** General Aeronautical Services Permit with Aviation Repair Technologies LLC, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - B)** General Aeronautical Services Permit with Baggage Airline Guest Service, Inc., commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - C)** General Aeronautical Services Permit with Huntleigh USA Corporation, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - D)** General Aeronautical Services Permit with Superior Aircraft Services, Inc., commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - E)** General Aeronautical Services Permit with Worldwide Flight Services, Inc., commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - F)** Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and West Palm Operations LLC, commencing September 1, 2010;
 - G)** Consent to Sublease for a Sublease Agreement between Signature Flight Support Corporation of Palm Beach, Inc. and Gama Aviation, Inc., commencing November 1, 2010;
 - H)** Hotel-Motel Courtesy Shuttle Operator Permit with Australian Ave Hospitality, LLLP d/b/a Hampton Inn and Worthington Hospitality, LLLP d/b/a/ Hilton Garden Inn, commencing October 1, 2010;
 - I)** Hotel-Motel Courtesy Shuttle Operator Permit with D.R. Palm Beach, Inc., d/b/a Best Western Palm Beach Lakes Inn and Hawthorn Suites West Palm Beach, commencing October 1, 2010;
 - J)** Hotel-Motel Courtesy Shuttle Operator Permit with OpRock Boynton TRS, LLC and OpRock Boynton Fee, LLC d/b/a Courtyard by Marriott Boynton Beach, commencing October 1, 2010;
 - K)** Hotel-Motel Courtesy Shuttle Operator Permit with Servico Centre Associates TRS, LLC d/b/a Crowne Plaza West Palm Beach Hotel, commencing October 1, 2010;
 - L)** Hotel-Motel Courtesy Shuttle Operator Permit with West Palm Beach Hotel, LLC d/b/a Doubletree Hotel West Palm Beach, commencing October 1, 2010;
 - M)** Nonconcessionaire Rental Car Operator Ground Transportation Permit with Rent Max Miami, Inc., commencing October 1, 2010, terminating September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);
 - N)** Cargo Building Lease Agreement with Bullet Delivery of WPB, Inc., for Unit 1309, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. MOTION/TITLE CONTINUED

O) Cargo Building Lease Agreement with Centerpoint, Inc., for Unit 1301, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);

P) Cargo Building Lease Agreement with Centerpoint, Inc., for Unit 1303, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);

Q) Cargo Building Lease Agreement with GFM Service, Inc., for Unit 1310, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);

R) Cargo Building Lease Agreement with JetStream Ground Service, Inc., for Unit 1306, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30);

S) Cargo Building Lease Agreement with JetStream Ground Service, Inc., for Unit 1308, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30); and

T) Cargo Building Lease Agreement with Lund & Pullara, Inc., for Unit 1305, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a year-to-year basis (10/1 through 9/30).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R1994-1453, R2010-0707, R2010-0708, R2010-1107 and R2010-1392. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated Settlement Offer in the amount of \$30,000 for the full satisfaction of a Code Enforcement Lien that was entered against Eric & Carol Gordon on August 6, 2008. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on March 5, 2008 giving the Gordons until July 7, 2008 to move the bulk materials being stored in designated parking areas and within the required district setback area and move the storage of commercial vehicles, dumpsters, trailers, and other items from the area designated as a plant growing area per the approved nursery site plan for the property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$250 per day was imposed. The CESM then entered a claim of lien against the Gordons on August 6, 2008. The cited code violations were fully corrected as of July 8, 2009. The total accumulated lien amount through September 30, 2009, the date the settlement discussions began, totaled \$115,995, of which the Gordons have agreed to pay the County \$30,000 (25.86%) for full settlement of their outstanding Code Enforcement Lien. District 3 (PE)

2. Staff recommends motion to approve:
 - A)** Budget Amendment of \$1,279,199 in the \$28.7M General Obligation Refunding Bonds, Series 2010 (Recreational and Cultural Facilities) debt service fund to set up budget for principal and interest payments;
 - B)** Budget Transfer of \$594,029 in the \$25M General Obligation Bonds, Series 2003 (Recreational and Cultural Facilities) debt service fund to transfer ad valorem taxes to the \$28.7M General Obligation Refunding Bonds, Series 2010 (Recreational and Cultural Facilities) debt service fund for the FY 2011 principal and interest payments; and
 - C)** Budget Transfer of \$685,170 in the \$25M General Obligation Bonds, Series 2005 (Recreational and Cultural Facilities) debt service fund to transfer ad valorem taxes to the \$28.7M General Obligation Refunding Bonds, Series 2010 (Recreational and Cultural Facilities) debt service fund for the FY 2011 principal and interest payments.

SUMMARY: On October 6, 2010, the County closed on the sale of the Series 2010 Refunding Bonds. These Budget Transfers and Amendment set up the budget for the principal and interest payments for the 2010 Refunding Bonds. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

3. Staff recommends motion to approve: the following FY 2010 Budget Amendments and Transfers:

A) Budget Amendment of \$4,359,157 in the General Fund to recognize reimbursement from FEMA and to reallocate budget between departments;

B) Budget Transfer of \$29,500 in the Head Start Fund from building improvements to the Public Building Improvement Fund;

C) Budget Amendment of \$29,500 in the Public Building Improvement Fund to recognize the transfer and increase the budget for the West Palm Beach Center for Early Head Start Shell Build out;

D) Budget Amendment of \$9,446 in the Metropolitan Planning Organization Fund to recognize the transfer from the General Fund and increase personal services;

E) Budget Amendment of \$7,398 in the Glades Regional Fire Rescue Fund to transfer remaining funds to the Fire Rescue MSTU Fund and close out the fund;

F) Budget Amendment of \$7,398 in the Fire Rescue MSTU Fund to recognize the transfer and increase reserves;

G) Budget Transfer of \$6,340 in the 22.3M GO 06 Library District Improvement Fund from reserves to the Library Capital Grants Fund; and

H) Budget Amendment of \$6,340 in the Library Capital Grants Fund to recognize the transfer and re-establish the budget for the North County Regional Expansion project.

SUMMARY: A Budget Amendment of \$4,359,157 in the General Fund is necessary to recognize reimbursement from FEMA for hurricanes Frances and Jeanne to establish budget for pass through payment to Solid Waste Authority and to reappropriate budget between various departments. Year-end budget adjustments of \$282,446 are being made to cover employee leave payouts due to staff turnover and health insurance costs. Funds are available from the Parks and Recreation and Facilities department budgets in the General Fund to cover these adjustments. A Budget Transfer of \$29,500 from the Head Start Fund to the Public Building Improvement Fund is necessary due to additional expenditures to complete the WPB Head Start Shell Build out. Grant funds are available to cover additional expenditures. A Budget Amendment of \$9,446 in the Metropolitan Planning Organization Fund is necessary to recognize the transfer from the General Fund to cover employee leave payouts not reimbursed by grant funds. A Budget Amendment of \$7,398 in the Glades Regional Fire Rescue is necessary to transfer remaining funds and close out the fund. A Budget Amendment of \$6,340 in the Library Capital Grants Fund is necessary to cover negative interest from FY 2009 and re-establish the project budget. Countywide (PK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) an Amendment to First Restatement of Lease Agreement (R2009-1668) (Fair Lease) with South Florida Fair and Palm Beach County Expositions, Inc. (Fair); and

B) an Amendment to Restated Agreement (R2009-1669) (College Lease) with Palm Beach State College, formerly known as Palm Beach Community College (College).

SUMMARY: On October 6, 2009, the Board approved the: (i) Fair Lease, which provides for the College's sole use of the driver training facility located at the South Florida Fairgrounds on Southern Boulevard through December 21, 2010, and (ii) College Lease, which provides for the College's assumption of all of the County obligations, pursuant to the Fair Lease, with specific exceptions. In June of 2010, the College requested that the County extend the term of the College Lease through June 30, 2011, as the College's training facility is not anticipated to be completed until then. The Amendments provide for the extension of the term of both the Fair Lease and the College Lease until June 30, 2011, upon the same terms and conditions set forth in each of the respective Agreements. The County's only financial obligation under the Fair Lease is to pay the Fair a utility fee, which is reimbursable to the County by the College. (FDO Admin) District 6 (HJF)

2. Staff recommends motion to approve: JOC Work Order No. 10-196 with H.A. Contracting Corp. (R2010-0804) in the amount of \$448,369.90 to provide for the removal and replacement of the existing Heating, Ventilation Air Conditioning (HVAC) system at the Water Utilities Department's Southern Region Water Reclamation Facility. **SUMMARY:** The work consists of removal of the existing condenser located on the roof, replacement of the existing multi-zone air handler unit, the installation of a new air cooled chiller and concrete enclosure, all associated piping, ancillary systems, and the installation of a new automated HVAC control system. The Small Business Enterprise (SBE) participation in this work order is 22.45%. When the participation for this work order is added to H.A. Contracting's total participation-to-date, the resulting values are 43.3%. The SBE goals are 15%. The total construction duration is 180 days. All funding for this project is from Water Utilities Department User Fees account. H.A. Contracting Corp. is a Palm Beach County Company. (FD&O Admin) Countywide/District 5 (JM)

3. Staff recommends motion to approve: Amendment No. 5 to Contract with DCOTA Contracting, Inc. (R2006-2218) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to DCOTA Contracting, Inc. as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. DCOTA Contracting had no work orders under this contract during the last term and their participation for work orders issued to date is 75.66%. DCOTA Contracting, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Amendment No. 5 to Contract with Joe Schmidt Construction, Inc. (R2006-2217) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to Joe Schmidt Construction, Inc. as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. Joe Schmidt Construction had \$42,285 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. Joe Schmidt Construction, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
5. Staff recommends motion to approve: Amendment No. 5 to Contract with Andrea Construction, Inc. (R2006-2214) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to Andrea Construction, Inc. as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. Andrea Construction had \$27,630 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. Andrea Construction, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
6. Staff recommends motion to approve: Amendment No. 5 to Contract with All-Site Construction, Inc. (R2006-2215) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 5 is a renewal to the Annual Contract-Residential which was awarded to All-Site Construction, Inc. as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. All-Site Construction had \$11,295 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. All-Site Construction, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Ezra Saffold, President, All-Site Construction Inc., resigned from his position on the Palm Beach County Construction Industry Licensing Board in lieu of seeking a waiver of prohibited relationship. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 5 to Contract with Sunco Construction Services, LLC (R2006-2426) to implement the fourth renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 5 is a renewal to the Annual Contract–Residential which was awarded to Sunco Construction Services, LLC as one (1) of seven (7) approved contractors. Each work order is bid among the seven (7) contractors with the lowest responsive annual contractor awarded the work order. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Residential contracts are 15%. Sunco Construction had no work orders under this contract during the last term and their participation for work orders issued to date is 100%. Sunco Construction Services, LLC is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
8. Staff recommends motion to approve: Amendment No. 2 to Contract with RCI Electric, Inc. (R2009-2059) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to RCI Electric, Inc. as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. RCI Electric had \$38,500 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. RCI Electric, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
9. Staff recommends motion to approve: Amendment No. 2 to Contract with Knight Electric Co., Inc. (R2009-2128) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to Knight Electric Co., Inc. as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. Knight Electric had \$14,159 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. Knight Electric Co., Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: Amendment No. 2 to Contract with Langer Electric Company (R2009-2060) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to Langer Electric Company as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. Langer Electric had no work orders under this contract during the last term and their participation for work orders issued to date is 0%. Langer Electric Company is not a certified SBE contractor and is a Broward County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
11. Staff recommends motion to approve: Amendment No. 2 to Contract with Davco Electrical Contractors Corporation (R2009-2056) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to Davco Electrical Contractors Corporation as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. Davco Electrical Contractors had no work orders under this contract during the last term and their participation for work orders issued to date is 0%. Davco Electrical Contractors Corporation is not a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
12. Staff recommends motion to approve: Amendment No. 2 to Contract with Global Communications & Electrical Systems, Inc. (R2009-2058) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to Global Communications & Electrical Systems, Inc. as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. Global Communications had \$3,695 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. Global Communications & Electrical Systems, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to approve: Amendment No. 2 to Contract with BK Electric, Inc. (R2009-2057) to implement the first renewal of an annual Electrical contract with a maximum value of \$1,000,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Electrical Contract which was awarded to BK Electric, Inc. as one (1) of six (6) approved contractors. Each work order is bid among the six (6) contractors with the lowest responsive annual contractor awarded the work order. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goals for the Electrical contracts are 15%. BK Electric had \$53,306.40 in work orders under this contract during the last term and their participation for work orders issued to date is 100%. BK Electric, Inc. is a certified SBE contractor and is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor (FD&O Admin) Countywide (JM)
14. Staff recommends motion to approve:
- A)** a Budget Amendment of \$100,000 in the Public Building Improvement Fund recognizing revenue received from the Governor's Council for Community Health Partnership (GCCHP) and increasing the project budget for Furniture, Fixtures and Equipment (FF&E) expenditure; and
- B)** Change Order No. 1 to Catalfumo Construction, Ltd. (R2007-1217) increasing the contract amount by \$100,000.
- SUMMARY:** On November 10, 2009, The MacArthur Foundation awarded a grant in the amount of \$250,000 to the GCCHP in support of the Ten-Year Plan to End Homelessness in Palm Beach County. The terms and conditions of this grant included \$100,000 to be used for renovation, furnishings and equipment for the Homeless Resource Center located at 1000 45th Street, West Palm Beach. The funds for the Homeless Resource Center were transferred from the GCCHP account to the County. Change Order No. 1 will increase the contract by \$100,000 in order to purchase the designated furniture, fixtures and equipment for the Homeless Resource Center. (Capital Improvements Division) District 7 (JM)
15. Staff recommends motion to approve: Amendment No. 4 to the Contract with Miller Legg & Associates, Inc. (R2007-1813) for professional design services for Parks and Recreation Department capital improvement projects. **SUMMARY:** Miller Legg & Associates, Inc. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The Board approved a contract on October 16, 2007. The original contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. Amendment No. 4 will provide for services during the third renewal period. Miller Legg & Associates, Inc. has a Small Business Enterprise/Minority/Women Business Enterprise (SBE/M/WBE) participation goal of 18% SBE and 2% M/WBE. During the three (3) years of the Contract, Miller Legg & Associates, Inc. has achieved 14.8% SBE and 11.3% M/WBE participation. The SBE goal was not achieved as the projects assigned under this contract did not always utilize Miller Legg's SBE sub-consultants. Miller Legg & Associates, Inc. is a Palm Beach County company. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve: a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a water main servicing Fire Rescue Station No. 32 in unincorporated Lake Worth. **SUMMARY:** The County recently constructed a new building to replace the existing Fire Rescue Station No. 32 located on the corner of Lake Worth Road and Charleston Road, east of the Turnpike, in unincorporated Lake Worth. As part of the development of this site, the County installed a water main on a portion of the southwest side of the property. The easement is 17' x 25' and contains 425 sq. feet (0.0098 acres). The Declaration will be recorded to provide notice of the existence and location of the water main. (PREM) District 2 (HJF)
17. Staff recommends motion to:
- A) adopt** a Resolution authorizing the conveyance of the County's interest in .09 acres of surplus property to the City of Riviera Beach without charge and with reservation of mineral and petroleum rights, but without rights of entry; and
- B) approve** a County Deed in favor of the City of Riviera Beach.
- SUMMARY:** The City of Riviera Beach requested the conveyance of this County-owned vacant surplus property. The .09 acre property was acquired by Tax Deed in January of 2006 and is located at 1153 Avenue H, within the City's municipal boundaries with an assessed value of \$10,388. The property is being conveyed pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by Tax Deed to the municipality in which it is located. The subject property has been declared surplus and serves no present or future County purpose. Staff believes that this property will be more appropriately developed, managed and maintained by the City. Housing & Community Development has reviewed this conveyance and has no objections. This conveyance will relieve the County of potential liability for occurrences on this property and also the cost of continued maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. (PREM) District 7 (HJF)
18. Staff recommends motion to approve: the Olympia Civic Site plat. **SUMMARY:** The County, on behalf of Fire Rescue, acquired title to a 2.76 acre parcel of property from the Village of Wellington (Village) in April 2004. It is located on the south side of Stribling Way (formerly known as Pierson Road), east of US 441. Fire Rescue Station No. 30 is located on this site. The Village and the School Board also have parcels within the limits of the Olympia Civic Site plat. As a condition of the site plan approval, the Village is requiring the overall civic site property be platted. The County, Village and the School Board will each sign the Plat as property owners. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

19. Staff recommends motion to:

A) adopt a Resolution authorizing the use of certain real property by U.S. Geological Survey, an agency of the United States Department of the Interior (USGS); and

B) approve a Use Agreement with USGS allowing USGS to construct and monitor shallow wells on County property.

SUMMARY: USGS has requested permission from the County to construct shallow wells on several properties owned by the County. USGS will then conduct long-term monitoring of those wells to obtain water quality information. Each well will be 2 inches in diameter, about 20 feet deep, covered with a 4 inch bolted down manhole cover, and surrounded by an 18 inch (approximately) concrete well pad. The Use Agreement has a term of 20 years. USGS has initially identified seven locations in County parks for the placement of shallow wells. The locations selected for the wells will not adversely impact park operations. The Use Agreement allows USGS to add well locations according to location and approval procedures set forth in the Agreement. Pursuant to the terms of the Agreement, the Director of Property & Real Estate Management shall have the authority to approve additional well locations. The County has the right to require the relocation of the wells, at USGS's sole expense, should the County wish to redevelop any of the properties. USGS shall be entitled to use the well sites without charge. (PREM) Countywide (HJF)

20. Staff recommends motion to approve: a Termination of the Interlocal Agreement with the City of Boca Raton (R87-335), relating to the reciprocal use of two (2) communication towers, one (1) owned by the City, and one (1) owned by the County. **SUMMARY:** The County entered into an Interlocal Agreement with the City of Boca Raton on March 4, 1987, for the City's use of the County-owned Communication Tower located within the South County Administrative Complex and the County's use of the City-owned Public Works Facility Communications Tower. The Interlocal Agreement runs until cancelled and allows each party to use the other's tower rent free. Each party has removed its equipment and personal property from the others facility, and restored the premises to the satisfaction of the other. Both County and City Staffs agree that each has no further requirements to access the other's tower. (PREM) Districts 4 & 5 (HJF)

21. Staff recommends motion to:

A) approve a Second Amendment to Lease Agreement with Pero Family Farms, LLC (R2001-1541) releasing 1.09 acres of property from the leased premises necessary for construction of the Lyons Road extension, and providing for a pro-rata reduction in rent; and

B) adopt a Resolution authorizing the reductions for the above referenced Lease Agreement.

SUMMARY: The County acquired the 272 acre York property in 2000 for \$3,751,050 (\$13,791/acre) as part of the Ag Reserve program for preservation of farmland. On September 11, 2001, the Board approved a lease with Pero Family Farms. The term of the Lease runs through August 20, 2011, with two (2) extension options, each for five (5) years. Rent is currently \$500/acre/year. This Second Amendment: (i) reduces the Premises by 1.09 acres effective January 15, 2011, to release land required for the Lyons Road right-of-way; (ii) provides for a corresponding pro-rata reduction of rent based upon the reduction in acreage; (iii) includes standard language acknowledging the Office of the Inspector General; and (iv) acknowledges Pero Family Farm's approval of the construction plans for Lyons Road. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

22. Staff recommends motion to approve:

A) a Third Amendment to Lease Agreement with Bowman Growers, Inc. (R2001-0517) (Parcel B); and

B) a Third Amendment to Lease Agreement with Bowman Growers, Inc. (R2001-0519) (Parcel C).

SUMMARY: The County acquired the 938-acre Bowman property in 2001 for \$38,461,000 (\$41,000/acre) as part of the Ag Reserve program for preservation of farmland. As part of the acquisition, Bowman Growers, Inc. reserved the right to continue farming the property pursuant to three (3) different Leases which run through June 30, 2025. Rent is currently \$500/acre/year. The Third Amendments to the Leases for Parcels B and C will: (i) reduce the Premises of the Parcel B Lease by 12.25 acres and the Parcel C Lease by 2.69 acres effective January 15, 2011, to release land required for the Lyons Road right-of-way; (ii) provide for a corresponding pro-rata reduction of rent based upon the reduction in acreage; and (iii) include standard language acknowledging the Office of the Inspector General. (PREM) District 5 (HJF)

23. Staff recommends motion to approve: a Plan of Termination of 1000 Forty-Fifth Condominium. **SUMMARY:** The County recently completed the acquisition of 17 office condominium units located at 1000 45th Street in West Palm Beach from various unit owners for purposes of developing a Homeless Resource Center. The units comprise the 1000 Forty-Fifth Condominium and the County owns all of the units within the Condominium. The 1000 Forty-Fifth Condominium Association, Inc. (Association) was established to govern and operate the condominium property on behalf of the unit owners. The County as owner of all of the units, no longer has a need to keep the Association active. The Plan of Termination establishes the County as the termination trustee; terminates the Condominium and the Association; transfers the Association's property and assets to the County; and allows the County to conclude the affairs of the Association. The Plan of Termination will be recorded with the Palm Beach County Clerk of Courts. The Association is expected to have approximately \$6,100 in surplus funds remaining following dissolution of the Association. All surplus funds will be transferred to the County once the Association's expenses have been satisfied. (PREM) District 7 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2011 Budget in the amount of \$13,295,427. **SUMMARY:** As permitted under Chapter 163.387 F.S., the CRA receives annual funding from Tax Increment Financing in late December of each year. The Budget is composed of four (4) components. The first component, the Redevelopment Trust Fund, in the amount of \$1,976,860, consists of the CRA's Annual Tax Increment Financing (TIF) and balance brought forward from previous years. The second component, the Construction Fund, in the amount of \$10,779,000, consists of transfers from the operating fund, and balances of grants awarded to the CRA by County, State and Federal governments for construction activities. The third component, the Sinking Fund, in the amount of \$269,605, consists of one (1) annual payment from TIF revenues to repay the revenue bond reissued in 1999 to retrofit infrastructure in the Westgate area. The last component, the Reserve Fund, in the amount of \$269,962, consists of a one (1) year security payment (principal and interest) held in escrow for the March 1, 1999 Redevelopment Revenue Refunding Bonds in the amount of \$3,380,000. District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve:

A) a waiver of prohibited relationship pursuant to Ordinance 2009-051, the Palm Beach County Code of Ethics, for Sergio Palacio of the Farmworker Coordinating Council, a member of the Victim Coordinating Council; and

B) three (3) Agreements under the FY 2010-2011 Emergency Shelter Grant Program (ESGP) totaling \$84,168 in the amounts indicated below for the period October 1, 2010, to September 30, 2011:

- 1) Center for Family Services, Inc. in the amount of \$28,050;
- 2) Farmworker Coordinating Council in the amount of \$31,118; and
- 3) Children's Place at Home Safe, Inc. in the amount of \$25,000.

SUMMARY: The FY 2010-2011 Action Plan (R2010-1156) approved by the Board of County Commissioners on July 20, 2010, allocated \$299,384 of ESGP funds to provide assistance countywide to the homeless and those at risk of becoming homeless. The three (3) agreements being presented for approval will distribute \$84,168 in ESGP funds for the operation and maintenance of emergency shelters, transitional housing facilities, and homeless prevention activities, as follows: Center for Family Services, Inc. benefits 45 families, or 135 individuals, Children's Place at Home Safe, Inc. benefits 90 abused, neglected and homeless children/teens, and Farmworker Coordinating Council prevents homelessness of 117 farmworker families, or 564 individuals. A prohibited relationship waiver is being recommended for Sergio Palacio of Farmworker Coordinating Council, who serves on the Victim Coordinating Council. Sergio Palacio has disclosed his relationship and is requesting a waiver pursuant to Section 3.D. of the Code of Ethics. The waiver is being recommended based on staff determination that the execution of this contract will not create a conflict of interest with Mr. Palacio's continued service on the Victim Coordinating Council. The Housing and Community Development staff reviews agency program budgets to ensure no duplication in reimbursement of expenses from other County programs. **These Federal funds require a matching contribution which will be provided by the agencies.** Countywide (TKF)

3. Staff recommends motion to approve: three (3) Agreements under the FY 2010-2011 Community Development Block Grant (CDBG) totaling \$291,207 in the amounts indicated below for the period October 1, 2010, to September 30, 2011:

- A)** Children's Place at Home Safe, Inc. in the amount of \$61,750;
- B)** Redlands Christian Migrant Association, Inc., in the amount of \$35,592; and
- C)** City of Belle Glade in the amount of \$193,865.

SUMMARY: The FY 2010-2011 Action Plan approved by the Board of County Commissioners on July 20, 2010, (R2010-1156) allocated \$1,356,450 of CDBG funds for the provision of public services, fair housing activities and housing activity delivery costs. The services to be provided by the three (3) agencies under the contracts for which approval is being sought are as follows: Children's Place at Home Safe, Inc. will provide emergency/transitional residential care and shelter to 90 abused and neglected children; Redlands Christian Migrant Association will operate one (1) child development center in the Glades region to serve 110 children of migrant farmworkers; and the City of Belle Glade for activity delivery cost associated with the implementation of six (6) CDBG funded housing rehabilitations and four (4) CDBG funded demolitions. The Housing and Community Development staff reviewed agency program budgets to ensure no duplication in reimbursement of expenses from other County programs. **These are Federal funds that require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. Staff recommends motion to:

A) receive and file the following four (4) Agreements:

- 1) Agreement with We Help Community Development Corporation dated July 20, 2010;
- 2) Agreement with the City of Delray Beach dated August 10, 2010;
- 3) Agreement with the Palm Beach County Housing Authority dated August 23, 2010;
- 4) Agreement with In The Pines, Inc., dated August 25, 2010; and

B) approve a waiver of prohibited relationship pursuant to Palm Beach County Code of Ethics, Article XIII, the Palm Beach County Code of Ethics for Dorothy Walker of We Help Community Development Corporation, a member of the Homeless Advisory Board and The Emergency Shelter Grants Program Advisory Board.

SUMMARY: The County Administrator, or designee, executed these Agreements based on Authority delegated by the Palm Beach County Board of County Commissioners on July 18, 2006, Resolution No. 2006-1351, and on September 11, 2007, Resolution No. 2007-1524. A prohibited relationship waiver is being recommended for Dorothy Walker of We Help Community Development Corporation, who serves on the Homeless Advisory Board and the Emergency Shelter Grants Program Advisory Board Committee. The individual has disclosed this relationship and is requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waiver is being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of the individual on these advisory boards. This Agenda Item formally receives and files the aforesaid executed Agreements. **These are Federal Community Development Block Grant funds that do not require a local match.** Districts 2, 3, 5, 6 & 7 (TKF)

K. WATER UTILITIES

1. Staff recommends motion to approve: the Partial Release of a Utility Easement over property owned by Hovsite Catalina LLC. **SUMMARY:** This document will release the County's interest in a portion of a Utility Easement recorded in the official records of Palm Beach County, Book 20823, Page 1875, over property owned by Hovsite Catalina LLC, located at 3601 Quantum Boulevard, Boynton Beach, Florida 33426. The Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to:

A) approve a Standard Potable Water and Wastewater Development Agreement – Beeline Additional Capacity form (Beeline Additional Capacity Agreement);

B) approve a Standard Utility Concurrency Reservation Agreement – Beeline Additional Capacity form (Beeline Additional Capacity UCRA);

C) authorize the County Administrator or designee to enter into all Standard Beeline Additional Capacity Agreements and Standard Beeline Additional Capacity UCRA's; and

D) incorporate the Beeline Additional Capacity Agreement form and the Beeline Additional Capacity UCRA form into Chapter 3 of the Department's Uniform Policies and Procedures Manual (UPAP).

SUMMARY: On February 15, 2005, the Board of County Commissioners approved a Water and Wastewater Utility Acquisition, Service and Service Area Agreement (Agreement) with the Beeline Community Development District (Beeline). As part of the Agreement, the County agreed to allow Beeline and its successors or assigns to reserve and purchase up to 1000 potable water and wastewater Equivalent Residential Connections (Additional ERCs), at a certain agreed rate, for future capacity needs of customers within the Beeline service area. In addition, the Agreement required that purchasers enter into a Standard Development Agreement or Utility Capacity Agreement which are unique to the Beeline Community Development District. The Additional ERCs may be purchased at the agreed rate up until October 31, 2018. The Department recommends approval of the Beeline Additional Capacity Agreement standard form and the Beeline Additional Capacity UCRA standard form to allow for the efficient reservation and purchase of the Additional ERCs. Countywide (MJ)

3. Staff recommends motion to approve: Work Authorization No. 4 to the Water Utilities Department Disaster Recovery Services Design/Build Contract with CDM Constructors, Inc. (R2010-0909) for construction of Water Treatment Plant (WTP) No. 2, WTP No. 9 and the Central Region Operations Center (CROC) Hurricane Hardening Project in the amount of \$169,754. **SUMMARY:** On June 8, 2010, the Board approved the Water Utilities Department Disaster Recovery Design/Build Services with CDM Constructors, Inc. (R2010-0909). This Work Authorization is for hurricane hardening mitigation at WTP No. 2, WTP No. 9 and CROC and includes hardening of existing windows, louvers and doors to prevent wind damage and water intrusion. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with CDC Constructors, Inc. provides for SBE participation of 31.00% overall. This Authorization includes 60.21% overall participation. The cumulative SBE participation, including this Work Authorization, is 51.77% overall. CDM Constructors, Inc. is a local Palm Beach County Company. (WUD Project No. 10-058) Districts 2, 5 & 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Work Authorization No. 1 in the amount of \$712,814.70 with Johnson-Davis, Inc. (R2010-1423) for construction of the Canal Point Water Main Replacement Project. **SUMMARY:** On September 14, 2010, the Board of County Commissioners approved the Water Utilities Department Continuing Construction Contract with Johnson-Davis, Inc. (R2010-1423). This Work Authorization provides for construction of a new 12" water main owned by the Glades Utility Authority (GUA) between Pahokee and Canal Point to increase pressure and fire flow. On August 18, 2009 (R2009-1345), the Board of County Commissioners approved a Special Agreement with GUA for Operations, Maintenance and Management of the GUA Utility System. The Water Utilities Department will administer this project under the terms of that Agreement. Funding for this project has been allocated by Palm Beach County Department Housing and Community Development under the Community Development Block Grant Program and the American Reinvestment Recovery Act American Recovery and Reinvestment Act. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 15.00% overall. This Authorization includes 15.40% overall participation. The cumulative SBE participation, including this Authorization, is 15.40% overall. Johnson-Davis, Inc. is a local Palm Beach County company. **These are Federal Community Development Block Grant funds that require no local match.** (WUD Project No. 09-036) District 6 (JM)
5. Staff recommends motion to approve: a Partial Release of Utility Easement on land owned by Haverhill Quadplex, LLC. **SUMMARY:** This document will release the County's interest in a portion of a Corrective Utility Easement recorded in the official records of Palm Beach County in Book 5455, Page 857, over property owned by Haverhill Quadplex, LLC., whose address is Post Office Box 212368, West Palm Beach, Florida 33421. The Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. [Staff recommends motion to receive and file:](#) four (4) original documents for the Department of Environmental Resources Management:

A) Amendment No. 1 with the South Florida Water Management District (SFWMD) Grant Agreement No. 4600001905 to extend the end date from March 9, 2011 to July 9, 2011 for the Cypress Creek Restoration Project;

B) Purchase Order No. L10PX04127 for \$40,688.21 has been accepted by the U.S. Bureau of Land Management (BLM) for invasive weed removal at Jupiter Inlet;

C) Modification No. 3 to Contract 2002 724209070L3, with the US Department of Agriculture (USDA) under the Wildlife Habitat Incentives Program (WHIP) provides scheduling changes for prescribed burns due to changes in the urban community surrounding the Yamato Scrub Natural Area; and

D) Modification No. 2 to Contract 2002 724209070ZO, with the US Department of Agriculture (USDA) under the Wildlife Habitat Incentives Program (WHIP) for Hypoluxo Scrub Natural Area provides scheduling changes for tree shrub establishment.

SUMMARY: **A)** Agreement No. 460001905 was approved on March 9, 2010 (R2010-0344). Delegated authority to sign time extensions was provided at that time. No ad valorem support is required. **B)** A Land Stewardship Memorandum of Understanding (MOU) with BLM to collaborate on the joint management of the Jupiter Inlet Natural Area was approved on January 15, 2008 (R2008-0072). Delegated authority to sign task assignments and other forms associated with this MOU was provided at that time. No ad valorem support is required. **C)** The WHIP contract for the Yamato Scrub Natural Area was approved on March 11, 2008 (R2008-0401). Delegated authority to sign necessary minor amendments was provided at that time. No ad valorem support is required. **D)** The WHIP contract for the Hypoluxo Scrub Natural Area was approved on March 11, 2008 (R2008-0402). Delegated authority to sign necessary minor amendments and time extensions was provided at that time. No ad valorem support is required for this modification. Countywide (SF)

M. PARKS & RECREATION

1. [Staff recommends motion to approve:](#)

A) Agreement with the Center for Creative Education, Inc. for the period November 16, 2010, through May 16, 2012, in an amount not-to-exceed \$800,000 for funding of construction costs for the John and Tussie Kluge Center for Creative Education; and

B) Budget Transfer of \$800,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2005 from Reserves to Center for Creative Education construction project.

SUMMARY: This Agreement provides funding to help offset costs for the completion of construction costs for the already started John and Tussie Kluge Center for Creative Education in the Northwood Area of West Palm Beach. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum District 2 (\$350,000) and District 7 (\$450,000). District 7 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: executed Entertainment Contractor Agreement received during the month of August 2010: Maximum Bands Entertainment LLC, Bounce Concert, Canyon Town Center Amphitheater for September 12, 2010, in an amount not-to-exceed \$800. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolution 2009-0644, and is now being submitted to the Board to receive and file. District 5 (AH)

3. Staff recommends motion to approve: First Amendment to Tri-Party Agreement with Acme Improvement District and Boys and Girls Clubs of Palm Beach County, Inc. for funding of the Wellington Boys and Girls Club facility. **SUMMARY:** This First Amendment to Agreement (R2008-1922) provides a revised Exhibit A (Project Description and Cost Estimate), a revised Exhibit B (Project Legal Description), and a 12-month extension of the Project completion date from October 20, 2011, to October 20, 2012. The Amendment also includes project completion milestones and language now required in all Bond Agreements to address Inspector General requirements. Funding is from the 2002 Recreational and Cultural Bond in the amount of \$600,000, as previously budgeted. District 6 (PK)

4. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the months of September and October:

A) Palm Beach County Officials Association, Inc., Flag Football Official, Westgate Park and Recreation Center for the period October 1, 2010, through September 25, 2011, in an amount not-to-exceed \$9,246;

B) Modern Bujutsu Karate Florida, Inc., Martial Arts, Therapeutic Recreation Complex for the period October 1, 2010, through September 30, 2011, in an amount not-to-exceed \$3,150;

C) Cindy Martling, Exercise Class, West Jupiter Recreation Center for the period October 1, 2010, through October 1, 2011, in an amount not-to-exceed \$4,600;

D) Frankie Thomas, Dance Class, Westgate Park and Recreation Center for the period October 1, 2010 through September 30, 2011, in an amount not-to-exceed \$1,200;

E) Lila Yama, Inc., Yoga, Therapeutic Recreation Complex for the period October 1, 2010, through September 30, 2011, in an amount not-to-exceed \$3,360; and

D) Palm Beach County Officials Association, Inc., Volleyball Official, West Boynton Park and Recreation Center for the period November 2, 2010, through December 15, 2010, in an amount not-to-exceed \$1,344.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1, 2 & 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve: First Amendment to Use Agreement with South Florida Water Management District (R2009-1986) for temporary parking at Lake Lytal Park to extend the termination date from November 16, 2010, to March 16, 2011. **SUMMARY:** This Amendment provides for a four (4) month extension to the Use Agreement which allows South Florida Water Management District (SFWMD) to temporarily utilize up to 75 parking spaces at Lake Lytal Park while construction of a new generator building continues taking place at its nearby administrative headquarters complex. Use will be limited to employees and visitors for the parking of personal automobiles between the hours of 7:00 a.m. and 5:00 p.m. excluding weekends and County holidays. Construction of the Generator Building was delayed due to changes in design. These issues have been resolved and construction has resumed. When construction of the generator building is complete, the Use Agreement allows for the termination of use. District 2 (AH)

6. Staff recommends motion to:
 - A) ratify** the signature of Chair Aaronson on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (DEP) on September 28, 2010, requesting \$200,000 for the John Prince Memorial Park Phase II Improvements project;
 - B) authorize** the County Administrator or his designee to execute the grant project Agreement and all future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and
 - C) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with DEP for this project.

SUMMARY: This Grant Application requests \$200,000 from FRDAP for the John Prince Memorial Park Phase II Improvements project. The project is located in the Mound's Circle area of the park, and project elements include a new restroom, picnic facilities, playground, fishing pier, bike trail, dog park, landscaping and parking, as well as renovation of the existing picnic facilities, bike trail and parking. The total project cost identified in this grant application is \$400,000. The requested grant is for \$200,000, and requires a \$200,000 match, which will be funded from Zone 2 Park Impact Fees. Only grant funding will be used for the renovation portions of the project. If the grant is awarded, and once the project is complete, the grant project agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to:

A) ratify the signature of Chair Aaronson on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (DEP) on September 28, 2010, requesting \$200,000 for the Okeehetee Park South Lakefront Development project;

B) authorize the County Administrator or his designee to execute the grant project Agreement and all future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with DEP for this project.

SUMMARY: This Grant Application requests \$200,000 from FRDAP for the Okeehetee Park South Lakefront Development project. Project elements include a restroom, new boat ramp, car/trailer parking, picnic facilities, playground, trailhead with parking, canoe/kayak launch and hiking trail. The total project cost identified in this grant application is \$400,000. The requested grant is for \$200,000 and requires a \$200,000 match, which will be funded from Zone 2 Park Impact Fees. If the grant is awarded, and once the project is complete, the grant project agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 6 (AH)

8. Staff recommends motion to receive and file: First Amendment to Contract (Contract No. 80009/LS) with Chet's, Inc., located in Boynton Beach, Florida, to provide professional water ski instruction at South County Regional Park for the period October 1, 2010, through September 30, 2011. **SUMMARY:** On September 25, 2009, Palm Beach County entered into a Standard Contract with Chet's, Inc. to provide a complete water skiing school program at South County Regional Park. The Contract provided an initial one (1) year term, which expired on September 30, 2010, with three (3) - one (1) year renewal options. This First Amendment renews the Agreement for the first option period of October 1, 2010, through September 30, 2011. The total annual revenue for this renewal period is \$12,420. All other terms of the contract remain the same. District 5 (AH)

9. Staff recommends motion to approve: renaming of a 63 acre portion of Riverbend Park to "Loxahatchee River Battlefield Park". **SUMMARY:** Riverbend Park is a 684 acre environmentally and historically significant regional park located on the south side of Indiantown Road west of the Florida Turnpike. Subsequent to the County's acquisition of the park in 1977, a series of archeological and historical studies discovered several sites containing cultural artifacts related to two (2) Second Seminole War engagements that occurred along the Loxahatchee River in 1838 next to the current Indiantown Road crossing. Based on these findings, the County's Historic Resources Review Board requested the County change the name of Riverbend Park to recognize its historic significance as a Second Seminole Indian War battlefield site. Staff does not support changing the name of Riverbend Park in its entirety; however, does recommend renaming the 63 acres of the park encompassing the core battlefield area to "Loxahatchee River Battlefield Park". District 1 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to receive and file: a Cooperative Agreement with Literacy*AmeriCorps through the Literacy Coalition of Palm Beach County. **SUMMARY:** On May 18, 2010, the Board approved a site application (R2010-0793) for the County Library's participation in the Literacy*AmeriCorps PBC Program for the period of August 23, 2010, through August 22, 2011, and authorized the Chairperson to execute the agreement. This Agreement will provide the County Library with one (1) full-time Literacy*AmeriCorps member. This member will offer conversational English programs and oversee the literacy learning computer lab. The Library will pay a service fee of \$5,250 to the Literacy Coalition of Palm Beach County and business-related mileage to the member up to \$2,750. AmeriCorps, with supplemental funds from the Coalition, will cover all other expenses including Workers' Compensation, liability, and health care coverage. Countywide (TKF)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: an Agreement with Housing Partnership, Inc., for funding of a part-time program assistant to conduct a nutrition education program at Highland Elementary School. The term of this Agreement shall begin when executed by both parties hereto and shall terminate on September 30, 2011. **SUMMARY:** Housing Partnership, Inc., (HPI) will provide funding to Palm Beach County to support a part-time program assistant to conduct the Bridges Beacon Program at Highland Elementary School in an amount not to exceed \$23,237. The funding shall consist of \$12,919 for salary plus \$4,050 for fringe benefits, \$368 for travel reimbursement, \$500 for printing costs, and \$5,400 for food and supplies for food demonstrations. District 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: an Amendment to the Contract (R2010-0104) with the Young Women's Christian Association (YWCA) of Palm Beach County, Florida to extend the expiration date from September 30, 2010, to December 31, 2010 to support Y-Girls. **SUMMARY:** The Criminal Justice Commission (CJC) recommended the use of \$20,000 from the Federal FY '09 Recovery Act Edward Byrne Memorial Justice Assistance grant for the continuation of Y-Girls, a delinquency prevention program for females. The YWCA is a not-for-profit organization dedicated to empowering girls to pursue and take charge of their lives, becoming productive citizens; thus not entering the juvenile justice system. Space issues impacted the ability of Y-Girls to operate over the summer thus requiring additional time to complete contract requirements. Countywide (GB)
2. Staff recommends motion to receive and file: a Grant Adjustment Notice amending the American Recovery and Reinvestment Act - Edward F. Byrne Memorial Justice Assistance Grant State Solicitation to extend the grant period from September 30, 2010, to December 31, 2010 for the West Palm Beach Community Justice Service Center. **SUMMARY:** The Board of County Commissioners accepted this grant for \$400,000 on December 15, 2009 (R2009-2150). The original grant period was October 1, 2009, through September 30, 2010. The grant was awarded for the services to be provided at the West Palm Beach Community Justice Service Center (CJSC). The CJSC acts as a community court to provide an alternative court where the focus is on providing treatment and services to defendants. The CJSC also provides services such as substance abuse treatment, mental health counseling and a variety of other assistance. There is no match requirement for Justice Assistance Grant funds. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: an Amendment to the Contract (R2010-0648) with ASPIRA of Florida, Inc. to extend the expiration date from September 30, 2010, to December 31, 2010 to support the ASPIRA REACH Program. **SUMMARY:** The Criminal Justice Commission recommended the use of \$98,000 from the American Recovery and Reinvestment Act – Justice Assistance Grant Fund. ASPIRA of Florida, Inc. is a not-for-profit agency providing renewal and enhancement services to high-risk youth to increase pro-social behaviors and improve participant school attendance by the end of the project. Countywide (GB)
4. Staff recommends motion to approve: a Grant Application to the Department of Children and Families (DCF) for \$750,000 for a period of three (3) years beginning January 1, 2011, to be used for supported housing for sentenced homeless leaving the county jail with mental health and substance abuse disorders with a focus for custodial parents. **SUMMARY:** In order to implement one of the Strategic Plan's goals for supported housing, the Criminal Justice Commission is seeking approval to apply for a three (3) year State of Florida DCF grant for \$750,000. This project area was recommended and approved by the Criminal Justice, Mental Health, Substance Abuse Planning Council on September 8, 2010. Local match requirement of 100% is stipulated by DCF. The Criminal Justice Commission will provide \$3,145 in-kind match for Fiscal Year 2011. All other match is being provided through community resources from the Sheriff's Office (\$181,129; in-kind), Public Defender's Office (\$3,000; cash), Oakwood Center of the Palm Beaches, Inc. (\$122,254; in-kind), Comprehensive Alcoholism Rehabilitation Programs, Inc. (\$302,570; in-kind), Drug Abuse Foundation (\$47,450; in-kind), Families First (\$45,945; in-kind) and The Lord's Place homeless center (\$50,000; in-kind). The amount of overmatch is \$5,493. Countywide (GB)
5. Staff recommends motion to approve:
 - A) an Amendment to the Interlocal Agreement (R2010-0794) with the Palm Beach County Sheriff's Office (PBSO) to extend the expiration date from October 1, 2010, to September 30, 2011 to support strategic operations of the Violent Crimes Task Force;
 - B) an Interlocal Agreement with the PBSO not to exceed the amount of \$40,616 to support strategic operations of the Violent Crimes Task Force from October 1, 2010, through September 30, 2011;
 - C) a Budget Transfer of \$40,616 from the Crime Prevention Trust Fund Reserves; and
 - D) a Budget Amendment of \$40,616 to increase budget in the Sheriff's Grants Fund to a total of \$115,616 for this program.

SUMMARY: The Law Enforcement Planning Council has recommended to the Criminal Justice Commission (CJC), and the CJC has approved \$40,616 for overtime to support strategic operations of the Violent Crimes Task Force. In addition, there are FY 2010 unexpended American Recovery and Reinvestment Act grant dollars from this initiative due to the scheduling of the operations to be carried forward. The additional strategic operations will be coordinated by the Violent Crimes Task Force, which is made up of municipal police departments as well as the PBSO and the Bureau of Alcohol, Tobacco, Firearms and Explosives. This initiative is focused on stopping the illegal sales and purchases of firearms and combating gang violence. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

6. Staff recommends motion to approve: an Interlocal Agreement for \$210,000 with the City of Riviera Beach as a partner to operate the Justice Service Center from October 1, 2010, through September 30, 2011 and continue countywide re-entry efforts as outlined in the Palm Beach County Criminal Justice Commission Re-entry Task Force's 5-Year Strategic Plan. **SUMMARY:** The Criminal Justice Commission upon direction from the Board of County Commissioners (BCC) continues their commitment to offender re-entry. The Justice Service Center has been operational for four (4) years serving primarily released juvenile and young adult offenders up to age 29 from state facilities. A variety of services are provided with the ultimate goal of successful re-entry and a reduction in recidivism. The Justice Service Center provides services either on-site or through referrals. These services include employment-training and education, substance abuse, mental health, legal assistance, life skills, and court assistance. The FY 2009 Justice Assistance Grant Program (JAG) application and its funding intent was previously approved by the BCC on August 18, 2009 (R2009-1312). There is no requirement for a match with JAG funds. Countywide (GB)

R. HUMAN RESOURCES

1. Staff recommends motion to approve: Palm Beach County's 2010-2011 Affirmative Action Plan, a voluntary effort to correct under-representation where it exists in the Board of County Commissioners' workforce. **SUMMARY:** Implementation of this year's Plan focuses on methods and procedures for achieving targeted work unit goals, enhancing special recruitment efforts, and continuing to develop systems to correct under-representation. Minority representation for all job categories for 2009-2010 was 32.9%, which is 4.9% above the availability. Females represented 35.3% of the County's workforce in 2009-2010 as compared to the availability of the labor force for all occupations of 46.0%. There is no fiscal impact. Countywide (EC)

S. FIRE RESCUE

1. Staff recommends motion to approve: an Interlocal Agreement with the Health Care District of Palm Beach County for pharmaceutical supplies and medications in a total contract amount not to exceed \$509,333 annually. The Agreement is effective retroactively to October 1, 2010, through September 30, 2013. **SUMMARY:** Palm Beach County has been purchasing pharmaceutical supplies and medications from the Health Care District of Palm Beach County since 1992 (R92-63D). The existing Agreement (R2007-1376) expired on September 30, 2010. Although Fire-Rescue has initiated this item and is the primary user of the Agreement, the Agreement is not limited to Fire-Rescue and may be used by Risk Management and other County Departments. Countywide (SGB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve:

A) Amendment No. 5 to the Technical Currency Agreement with SCT Government Systems (SCT) (R2003-1017), now doing business as Affiliated Computer Systems Inc. (ACS), to provide software maintenance coverage for the period October 1, 2010, through September 30, 2011 for the component systems of ACS Justice Information System (JIS) at a fee of \$399,703 for FY 2011 and decreasing to \$4,885 in FY 2012; and

B) Ratification of the JIS Policy Board's earlier waiver of requirements to maintain a Performance Bond and Professional Liability Insurance on the separate ACS Services agreement.

SUMMARY: Three (3) separate Agreements were initially entered into by Palm Beach County and SCT (now ACS) on September 29, 1998 (R1998-1540 & 1541) - a Technical Currency Agreement providing for annual maintenance of the ACS Justice Information System; a Software License Agreement for the purchase of the vendor's proprietary software package; and a Services Agreement providing for vendor consulting services to customize and implement the JIS System, which consists of modules for Civil, Juvenile, Criminal, and Traffic Courts, and Jury Management. The final renewal of the Technical Currency Agreement resulted in a negotiated fee of \$399,703 for FY 2011 which represents a reduction of \$284,525, or 42%, from the FY 2010 fee amount of \$684,228. After FY 2011, only the portion of the Technical Currency Agreement associated with the Jury Management System (\$4,885) will continue and the remainder of the contract coverage will not be renewed as the ACS Banner Courts System will be replaced by the Clerk's new Case Management System. ACS is based in Lexington, KY. This Amendment provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. Countywide (PFK)

2. Staff recommends motion to:

A) approve an Interlocal Agreement with the Children's Services Council of Palm Beach County (CSCPBC) for provision of Server Hosting Services (production and disaster recovery) at a first year revenue to the County estimated at \$27,350; and

B) authorize the County Administrator or his designee, Information System Services (ISS) Director, to approve and execute future Change Orders to this Agreement, up to a total Agreement revenue amount not to exceed \$100,000.

SUMMARY: CSCPBC has requested that the County (Information Systems Services Department) provide Server Hosting Services for their business operations through the use of County computing facilities. Additionally, this item requests that the County Administrator or his designee, ISS Director, be granted authority to approve and execute future Change Orders to this Agreement up to a total Agreement revenue amount not to exceed \$100,000. District 7 (PK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the executed Grant Agreement with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to receive Urban Area Security Initiative Grant (UASI) funding in the amount of \$432,773 effective October 13, 2010, through April 30, 2012; and

B) approve a Budget Amendment of \$432,773 in the Urban Area Security Initiative Grant Fund to recognize the actual grant award.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County using federal UASI funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. The UASI awarded \$432,773 to the County, which will be used to fund fire, health, emergency management, and other approved anti-terrorism activities. The Sheriff's Office received an equivalent amount of \$432,773 to fund direct law enforcement activities. The total funds awarded to Palm Beach County by the UASI (\$865,546) represent 14.7% of the Ft. Lauderdale UASI grant of \$5,881,547. Future funding will be determined based on a competitive need process. Resolution R2006-2669 authorizes the County Administrator or his designee to execute UASI sub grant contracts on behalf of the Board. No County match is required. Countywide (DW)

2. Staff recommends motion to:

A) receive and file a copy of the original executed Grant Agreement with the State of Florida Division of Emergency Management to receive Emergency Management Performance Grant (EMPG) funding in the amount of \$229,352 for the period of July 1, 2010, through June 30, 2011; and

B) approve a Budget Amendment of \$229,352 in the Emergency Management Preparedness and Assistance Fund to recognize the actual grant award.

SUMMARY: This is an annual federal grant that the Division of Emergency Management receives to enhance emergency management operations of the County. The grant will be used to further enhance emergency planning, response, mitigation and recovery in the County. The agreement has until June 30, 2011 to be expended. Resolution R2006-0401 authorizes the County Administrator or his designee to execute grant contracts with Florida Department of Community Affairs. A one-to-one match is required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve:

A) Interlocal Agreement with the South Florida Regional Transportation Authority (SFRTA) for \$510,000 funding a portion of the cost of operating Route 94 for three (3) years; and

B) Budget Amendment of \$510,000 in the Palm Tran Grant Fund to reconcile the Fiscal Year 2011 budget to account for this award.

SUMMARY: Palm Tran applied to the SFRTA for operating funds under the Job Access and Reverse Commute (JARC) program, which aims to improve access to transportation services to employment, and employment related activities. Route 94 connects Palm Beach County residents to Tri-Rail trains, two (2) major North-South Palm Tran Routes, and access to Florida Atlantic University. The grant is funded by the Federal Transit Administration (FTA), and funds are passed through the SFRTA. In 2009, the SFRTA was selected as the designated recipient for JARC funds in the Miami Urbanized Area covering Miami, Broward, and Palm Beach Counties. The SFRTA conducted an open competitive process for the distribution of these funds, and Palm Tran's Route 94 project was selected to be funded. This project will start on January 2011. The Agreement funds a portion (\$510,000) of the cost of operating Route 94 for three (3) years, Palm Beach County funds a second portion of the operating cost, and this cost was included in the approved 2011 budget in the amount of \$123,248 from January 2011 to September 2011 (\$492,993 for three (3) years). Palm Tran is finalizing an Interlocal Agreement with the City of Boca Raton for their contribution of \$492,993 for their share of Route 94 for three (3) years. The Agreement with the City of Boca Raton is due to be submitted to the Board on December 7, 2010. SFRTA will be billed quarterly, and the City will be billed in a lump sum in January 2011. Countywide (DR)

BB. SHERIFF'S OFFICE

1. Staff recommends motion to:

A) accept a Bureau of Justice Assistance Bulletproof Vest Partnership Grant in the amount of \$46,374 for the period of October 1, 2010, through September 30, 2011 for the purchase of Bulletproof Vests; and

B) approve a Budget Amendment of \$46,374 in the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance (BJA) has made available funds for the purchase of Bulletproof Vests for law enforcement personnel. The Palm Beach County Sheriff's Office was awarded the amount of \$46,374 for the purchase of approximately 65 National Institute of Justice approved vests. The vests will be purchased between October 1, 2010, and September 30, 2011. The required match in the amount of \$46,374 is being provided by the Palm Beach County Sheriff's Office and is included in the Sheriff's approved FY 2011 budget. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

2. Staff recommends motion to:

A) ratify on behalf of the Palm Beach County Sheriff's Office, the Chairperson's signature on the U.S. Department of Justice, Community Oriented Policing Services, Child Sexual Predator Program Grant award in the amount of \$500,000 for the period of September 1, 2010, through August 31, 2012; and

B) approve a Budget Amendment of \$500,000 in the Sheriff's Grants Fund.

SUMMARY: On September 29, 2010, the Palm Beach County Sheriff's Office (PBSO) received an award to implement Palm Beach County's Child Sexual Predator Strategy. The purpose of the strategy is to enhance the PBSO's Sexual Predator Offender Tracking Unit; maintain PBSO's Strategically Targeting Online Predators Program at its current staffing level; develop a multidisciplinary team to assist in the development, implementation, and evaluation of the strategy; and to increase community awareness through education forums and a public awareness campaign. Funding provided will be used for: salaries and benefits of two (2) positions previously funded by the FY 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant; supplies, contractual services, and travel associated with the strategy. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2012. Countywide (DW)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a National Institute of Justice FY 2010 DNA Missing Person Assistance Program Grant in the amount of \$40,058 for the period October 1, 2010, through September 30, 2011; and

B) approve a Budget Amendment of \$40,058 in the Sheriff's Grants Fund.

SUMMARY: On September 17, 2010, the Palm Beach County Sheriff's Office (PBSO) received an award for the DNA Missing Person Assistance Program. The PBSO's Violent Crimes Division investigates all deaths by violence, criminal means, suicide, or any unattended death, whatever the cause, for the unincorporated areas of Palm Beach County and municipalities that have contracted with PBSO for law enforcement services. In instances where decedents are unidentified, Palm Beach County pays for burial services. PBSO has made every effort to obtain identification of all unidentified individuals. Despite those efforts, there are 18 cold cases with unidentified decedents that have not received DNA analysis. These funds will be used to support the investigation, exhumation, testing, and re-interment of the 18 unidentified Palm Beach County decedents. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

4. [Staff recommends motion to:](#)

A) accept on behalf of the Palm Beach County Sheriff's Office a U.S. Department of Homeland Security Transportation Security Administration Grant for continuation of Homeland Security Enforcement at the Palm Beach International Airport, in the amount of \$250,500, for the period of October 1, 2010, through September 30, 2015; and

B) approve a Budget Amendment of \$250,500 in the Sheriff's Grants Fund.

SUMMARY: The U.S. Department of Homeland Security Transportation Security Administration (TSA) has awarded a Homeland Security grant to the Palm Beach County Sheriff's Office (PBSO) in the amount of \$250,500 for this first fiscal year. Funds for future fiscal years are anticipated for a total amount of funding of \$1,252,500 over a five (5) year period. The funds will be used to offset the costs associated with the salary and benefits of five (5) deputies and the costs associated with the care of five (5) TSA canines. Reimbursable costs for this award include, but are not limited to: Supplies, such as kennels, vet care, vehicles, and dog food. The purpose of this grant program is to provide maximum coverage during peak airport operating hours and to maintain the ability to promptly respond to threats and suspected threat explosive devices which affect air carrier operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF’S OFFICE (Cont’d)

5. Staff recommends motion to approve: a Budget Transfer of \$220,879 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff’s Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf’s previous year’s revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO’s FY 2011 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO’s support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$2,307,161. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,086,282. The year-to-date transfer for all donations after approval of this item is \$220,879. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

<u>ORGANIZATION</u>	<u>AMOUNT</u>
Alzheimer’s Community Care, Inc.	\$ 10,000
Area Agency on Aging Palm Beach/Treasure Coast, Inc.	\$ 15,000
Boys & Girls Club of Palm Beach County, Inc.	\$ 25,412
Children’s Case Management Organization, Inc.	\$ 15,000
Crime Stoppers of Palm Beach County, Inc.	\$ 31,000
Gratitude House, Inc.	\$ 25,000
Lake Worth High School – Criminal Justice Academy	\$ 5,000
Project Lifesaver of Palm Beach County, Inc.	\$ 9,467
Propel, Inc.	\$ 10,000
The Lord’s Place, Inc.	\$ 25,000
PBC Police Athletic League – Kids & Police Tennis Assoc.	\$ 50,000
Total Amount of Donations	\$220,879

6. Staff recommends motion to:
- A) accept** on behalf of the Palm Beach County Sheriff’s Office a Bureau of Justice Assistance State Criminal Alien Assistance Program 0766 Grant in the amount of \$498,984; and
- B) approve** a Budget Amendment of \$498,984 in the Sheriff’s Grants Fund.
- SUMMARY:** The Bureau of Justice Assistance has made funds available to be used for correctional purposes. These funds, in accordance with the Department of Justice Reauthorization Act of 2005, will be used in one of the 13 areas designated. Resultantly, the offset general fund dollars will be used to fund the Eagle Academy through the 2010 calendar year. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF’S OFFICE (Cont’d)

7. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff’s Office a Bureau of Justice Assistance State Criminal Alien Assistance Program 0025 Grant in the amount of \$634,481; and

B) approve a Budget Amendment of \$634,481 in the Sheriff’s Grants Fund.

SUMMARY: The Bureau of Justice Assistance has made funds available to be used for correctional purposes. These funds, in accordance with the Department of Justice Reauthorization Act of 2005, will be used in one of the 13 areas designated. Resultantly, the offset general fund dollars will be used to fund the Eagle Academy through the 2010 calendar year. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

* * * * *

4. PUBLIC HEARINGS - 10:00 A.M. (Motion to receive and file: Proof of publication)

- A. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to amend the approval process for a veterinary clinic with no outdoor runs, by amending the Unified Land Development Code, Ordinance 2003-067, as amended as follows: Article 3, overlays and zoning districts; Chapter E, planned development districts (PDDS); Article 4, use regulations; Chapter A, use classification; Chapter B, supplementary use standards; providing for interpretation of captions; repeal of laws in conflict; severability; a savings clause; inclusion in the Unified Land Development Code; and an effective date. **SUMMARY:** At the September 30, 2010 BCC Zoning Hearing, the Board directed Zoning staff to amend the Unified Land Development Code Planned Development District Use Matrix to allow a veterinary clinic with no outdoor runs and less than 5,000 square feet in gross floor area to be a permitted use. Unincorporated (LB)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to adopt:** Resolution providing approval authority to the County Administrator and Deputy County Administrator for advisory board member travel. **SUMMARY:** Periodically, advisory board members are required to attend various training, conferences and/or meetings. This requirement is typically associated with federal and state grant programs such as Head Start and Community Action housed in the Community Services Department. Current County policy requires approval of the Board of County Commissioners for this type of travel. The extensive lead time to obtain Board of County Commissioners approval makes it difficult to take advantage of low cost non-refundable air fares. It requires additional time and expense in the processing of a board item, and makes adjustments to travel plans difficult and cumbersome. Staff recommends assignment of authority for pre-authorized advisory board member travel to the County Administrator and Deputy County Administrator to ensure that the travel arrangements can be completed in a timely and cost efficient manner. Countywide (TKF)

B. COMMUNITY SERVICES

1. **Staff recommends motion to adopt:** Resolution authorizing the County Administrator or his designee signatory authority on individual amendments to Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) grant agreements/contracts, for not more than 10 percent of the grant award/agreement or \$150,000, whichever is greater, for the period November 16, 2010, through November 15, 2013. **SUMMARY:** The Division of Senior Services receives Federal and State grant funds annually through agreements or contracts with the AAA. These contracts are adjusted periodically to align budgetary priorities and to adjust grant amounts when unused federal funds become available for distribution. Delegating signatory authority to the County Administrator or his designee on agreement/contract amendments within the defined threshold would facilitate the spending of funds in a timely manner in compliance with the grant mandates. The authority would allow for reallocation of funding for not more than 10 percent of the contracted amount or \$150,000, whichever is greater, based on the recommendations of Division of Senior Services staff. Agreements/Contract amendments signed by the County Administrator or his designee will be brought before the Board of County Commissioners as receive and file documents in accordance with PPM CW-O-051. Countywide (TKF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) an Interlocal Agreement with the Town of Lake Park (Town) for funding in the amount of \$2.4M to acquire land for expansion of boat trailer parking at the Lake Park Marina; and

B) a Budget Transfer of \$2.4M within the \$50M GO 05 Waterfront Access Bond Reserve (\$740,000); Light Harbor Marina (\$660,000) and Bert Winters Park Boat Ramp Expansion (\$1,000,000) to Lake Park Marina.

SUMMARY: In January of 2009, the Board reviewed a request by the Town for funding support of a planned expansion of the Town's Marina. The Board directed Staff to identify \$2.4M in funding which could be made available for the project. As currently proposed, the project includes the Town acquiring approximately .8 acres of land at the N.E. corner of Silver Beach Road/Lakeshore Drive and U.S.-1. This property will be used by the Town to expand the Town's existing boat trailer parking lot to provide an additional 30 boat trailer and 16 standard vehicle parking spaces. Future phases of the project will include closing Lake Shore Drive and constructing a pedestrian promenade between the Marina and the properties along the west side of the existing Lake Shore Drive, as well as private sector development of a restaurant. The Town will be making a presentation on the full scope of the project. Parks and Recreation has identified \$2.4M in funding from the Waterfront Bond Program to be reallocated to this project: \$1M from Bert Winters Park; \$660,000 in remaining funds from the Light Harbor Boat Ramp project; and \$740,000 from Waterfront Bond reserves. (PREM) District 1/Countywide (HJF)

5. REGULAR AGENDA

D. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: an Agreement with the Community Land Trust of Palm Beach County, Inc. (CLT) in the amount of \$4,523,006, funded under the Neighborhood Stabilization Program-2 (NSP2) for the development and construction of 25 multi-family rental units to be used for affordable rental housing, for the period of November 16, 2010, through December 15, 2012. **SUMMARY:** On July 11, 2006, Palm Beach County entered into an Agreement (R2009-1348) with the Housing Partnership, Inc., wherein the County agreed to purchase 7.29 acres of land located on Davis Road just south of Melaleuca Lane in unincorporated Palm Beach County. The land was purchased with Community Development Block Grant (CDBG) funds in the name of the Housing Partnership, Inc., who agreed to the eventual transfer of its title to a recipient to be selected by the County. On January 13, 2009, the County entered into an Agreement (R2009-0144) with the CLT whereby the CLT received title to this land from the Housing Partnership, Inc. Within the competitive NSP2 application process, Housing and Community Development proposed this project as an activity under the Neighborhood Redevelopment Program, and the project was approved by the U.S. Department of Housing and Urban Development. This Agreement provides for the development and construction of 25 residential multi-family rental housing units located within the County's Urban Redevelopment Area. The Agreement requires the CLT to develop the portion of land east of Davis Road for the construction of two (2) garden-style buildings, one of which will contain 12 rental units, a second building which will contain 13 rental units, and a community room. The project will be called "Davis Landings", and CLT will assure that at least 55% of the units shall be rented to tenants whose household incomes are at or below 50% of the area median income (AMI), of which 25% of the units shall be rented to tenants whose household incomes are at or below 30% of the AMI. The remaining units shall be rented to tenants whose household incomes are at or below 120% of the AMI. The CLT will select its development team either in accordance with current Palm Beach County Purchasing policies or in accordance with CLT purchasing policies which have already received County staff approval. CLT is required to have developed, constructed, obtained certificates of occupancy, and have all 25 units occupied with eligible tenants by December 15, 2012. **These are Federal Neighborhood Stabilization Program Grant funds that require no local match.** District 3 (TKF)

E. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** an Agreement with Rafael Montalvo, James Murley and Jean Scott for Facilitation Services related to Mining. Funding for this project is not to exceed \$36,000. The effective date of this Agreement is upon approval by the Board of County Commissioners with completion estimated to be August, 2011. **SUMMARY:** At the Zoning meeting on August 26, 2010, the Board of County Commissioners (BCC) directed staff to seek a university affiliated facilitator to assist the county staff and the stakeholders who have an interest in mining in the unincorporated county, to reach agreement on Unified Land Development Code changes that may be required. Mr. Montalvo is with the Florida Conflict Resolution Consortium Consensus Center at the University of Central Florida and Mr. Murley is with The Center for Environmental Studies at Florida Atlantic University. All three (3) facilitators were involved in the Mining Summit which was organized by the BCC on March 19, 2008. This Agreement is for facilitation services in an amount not to exceed \$36,000. Unincorporated (RB)

5. REGULAR AGENDA

F. PUBLIC SAFETY

- 1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 21, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article II, (Ord. No. 06-040) entitled Palm Beach County Emergency Medical Services Ordinance of 2010; providing for title; providing for authority and purpose; providing for definitions; providing for territorial applicability; providing for certificate and endorsements required; providing for procedures for requesting certificate; providing for investigation and review of application; providing requirement for board approval in granting a certificate of public convenience and necessity; providing for term and assignability of certificates; providing for rights and duties granted by certificate; providing for provision of patient outcome data; providing for vehicle permits; providing for rules and regulations; providing for general prohibition; providing for deficiencies; providing for complaint procedures; providing for certification revocation, modification, suspension; providing emergency powers; providing exclusion from certificate or permit requirement; providing for enforcement; penalties; providing for repeal of laws in conflict; providing a savings clause; providing severability; providing inclusion in the code of laws and ordinances; providing enforcement; providing penalty; providing captions; providing for an effective date.

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6. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING
(Land Development Regulation Advisory Board)

1. Staff recommends motion to approve: appointment of one (1) new member to the Land Development Regulation Advisory Board (LDRAB), for the term from November 16, 2010, to February 5, 2013:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Terrence N. Bailey	10	Engineer	Florida Engineering Society

SUMMARY: The Unified Land Development Code provides for seven (7) members appointed by the BCC (one from each PBC Commissioner as a district appointment) with consideration of expertise in Art. 17.C.1.C.2, Qualifications; ten (10) members that are appointed by a majority of the Board of County Commissioners upon a recommendation by specific organizations: Residential Builder: Gold Coast Builders; Municipal Representative: PBC League of Cities; Engineer: Florida Engineering Society; Architect: American Institute of Architects; Environmentalist: Environmental Organization; Realtor: The PBC Board of Realtors; Surveyor: Florida Surveying and Mapping Society; Citizen Representative: Condominium/HOA Association; Commercial Builder: Association of General Contractors of America; an AICP Planner: PBC Planning Congress; and two (2) members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Art.17.C.1.C.2, Qualifications. These appointments/ reappointments are consistent with the Unified Land Development Code requirements. Unincorporated (LB)

B. ADMINISTRATION
(Water Resources Task Force)

1. Staff recommends motion to:

A) appoint Adrian Salee of the Northern Palm Beach County Improvement District and Gale English of the South Indian River Water Control District as the member and alternate, respectively, on the Palm Beach County Water Resources Task Force for the drainage/water control district seat (Seat No. 10), effective November 16, 2010; and

B) ratify Michael Dahlgren of the City of Atlantis as the member for one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 4), and Anthony LasCasas of Indian Trail Improvement District as the member for the Indian Trail Improvement District seat (Seat No. 14), effective November 16, 2010.

SUMMARY: The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one (1) County Commissioner; one (1) special independent district water and/or wastewater provider or utility water or wastewater provider representative; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner actively farming to represent agricultural interests; one (1) Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of several of the Task Force members, three (3) new members and one (1) alternate need to be appointed/ratified by the Board of County Commissioners. Countywide (MJ)

6. BOARD APPOINTMENTS

B. ADMINISTRATION (Cont'd)
(Small Business Assistance Advisory Committee)

2. Staff recommends motion to approve:

- A) waiver of prohibited relationship pursuant to Article XIII, the Palm Beach County Code of Ethics for Angela Randolph, who is the owner of Randolph & Dewdney Construction, Inc., and the company has one (1) existing contract with the Board of County Commissioners; and Lia T. Gaines, who is the Executive Director of The Business Loan Fund whose agency will receive Economic Set-Aside Grant funding through the Office of Economic Development; and
- B) appointment of six (6) individuals to the Small Business Assistance Advisory Committee, for the terms indicated below:

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Angela Randolph	3	Certified Woman Business Owner	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor
Andre’ Varona	7	Hispanic Chamber of Commerce	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor
Martha J. Greeson	8	Nat’l. Assoc. of Women in Const.	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor
Joseph D. Anderson	10	Minority Contractor	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor
Sherrill L. Disbury	11	Associated General Contractors	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor
Lia T. Gaines	13	Business Loan Fund of the Palm Beaches	11/16/10 – 9/30/13	Comm. Marcus Comm. Taylor Comm. Abrams

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code. The committee consists of fourteen (14) members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) white male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of the Palm Beach County Resource Center; one (1) representative of the Hispanic Chamber of Commerce; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) certified minority contractor; one (1) representative of the Associated General Contractors of America; one (1) representative of the Small Business Development Center; one (1) representative of the Business Loan Fund of the Palm Beaches; and one (1) representative of the Black Chamber of Commerce. The incumbents for seats 3, 4, 7, 8 and 11 resigned and seats 5, 10, and 13 are vacant due to consecutive absences. Seat 1 is vacant due to the expiration of the board appointment and the incumbent did not wish to be reappointed. The Hispanic Chamber of Commerce, the National Association of Women in Construction, the Associated General Contractors, the Business Loan Fund of the Palm Beaches and the SBA Advisory Committee support the nominations. A memo was sent to the Board of County Commissioners on October 7, 2010 requesting approval of the recommended slate. No other nominations were received. A prohibited waiver is being recommended for Angela Randolph and Lia T. Gaines. Angela Randolph is the owner of Randolph & Dewdney Construction, Inc. and the company has 1 existing contract with the Board of County Commissioners. Lia T. Gaines is the Executive Director of The Business Loan Fund whose agency will receive an Economic Set-Aside Grant through the Office of Economic Development. Both candidates have disclosed their relationship and are requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waivers are being recommended based on staff’s determination that the appointments of Angela Randolph and Lia T. Gaines and their contractual relationship will not create a conflict of interest. Countywide (TKF)

6. BOARD APPOINTMENTS

C. COMMUNITY SERVICES
(Head Start/Early Head Start Policy Council)

1. Staff recommends motion to approve: appointment of the following Parent Representatives to the Head Start/Early Head Start Policy Council for a term of three (3) years or less, as indicated on the Board Appointment Information Form, effective November 16, 2010:

PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER

(R) = Representative (A) = Alternate

<u>Seat ID #</u> 10	<u>Boynton Beach</u> Alicia R. Jean Francois (R) N/A (A)	<u>Seat ID #</u> 11	<u>Jupiter</u> Kenna Michele Moore (R) Kimberly Dokes-Warren (A)
<u>Seat ID #</u> 12	<u>South Bay-HS</u> Jaquanda Miller (R) Aiyani R. Gibbons (A)	<u>Seat ID #</u> 13	<u>Palm Glades</u> Crystal Trevino (R) Alnesha LeRonda Nelson (A) Natasha L. Beckles (A)
<u>Seat ID #</u> 14	<u>Delray Beach HS</u> Vania B. Penta (R) Malissa Lanet Johnson (A)	<u>Seat ID #</u> 15	<u>Pahokee</u> Ebony Jackson (R) Kenzea Osborne (A)
<u>Seat ID #</u> 16	<u>Westgate</u> Joann Becerra (R) Donna W. Brown (A)	<u>Seat ID #</u> 17	<u>Lake Worth</u> Sherline Rickman (R) Christella Movin (A) Stephanie R. Deal (A)
<u>Seat ID #</u> 18	<u>Riviera Beach</u> Barbara Ann Thomas (R) Tashina Renee Weathers (A)	<u>Seat ID #</u> 19	<u>West Palm Beach</u> Ivory Sherrod (R) Patricia Antonette Trought (A) Jacquelyn D. Palmer (A)
<u>Seat ID #</u> 20	<u>Union Baptist</u> Otalus Luckner (R) Latoia M. Jennings (A)	<u>Seat ID #</u> 21	<u>Delray Beach EHS</u> Magdalena Bazile (R) Casetra Frederick (A) Charlemagne Louis-Charles
(A) <u>Seat ID #</u> 22	<u>Achievement Center</u> Guilene Beaubrun (R) Madelyn Victor (A)	<u>Seat ID #</u> 23	<u>Family Child Care Home</u> Vacant (R)
<u>Seat ID #</u> 24	<u>Home Base, EHS</u> Sakina Bivins (R) Marie Estherlande Severe (A)	<u>Seat ID #</u> 25	<u>Florence Fuller CDC</u> Rose Jeanine Corso (R) Vacant (A)
<u>Seat ID #</u> 26	<u>Apostolic CDC, Inc.</u> Marie Lesly Plaisir (R) Jennifer L. Carter (A)	<u>Seat ID #</u> 27	<u>A Step Above</u> Melissa D. Brown (R) Vacant (A)
<u>Seat ID #</u> 28	<u>Emmanuel</u> Vacant (R) Vacant (A)	<u>Seat ID #</u> 29	<u>King's Kids</u> Romona Coleman (R) Vacant (A)
<u>Seat ID #</u> 30	<u>My First Steps</u> Mary-France Augustin (R) Vacant (A)	<u>Seat ID #</u> 31	<u>San Castle</u> J. Jarrodd Cadore (R) Alexandra R. Ritchie (A)
<u>Seat ID #</u> 32	<u>YWCA</u> Jaseth Minott (R) Rhonda L. Wynds (A)	<u>Seat ID #</u> 33	<u>TENDER LOVING CARE</u> Vacant (R)

SUMMARY: The term of appointment for parent representatives and alternates to the Head Start/Early Head Start (HS/EHS) Policy Council is no more than three (3) years, and requires that the parent representative/alternate be a parent of a child enrolled in the HS/EHS program. The Council is comprised of 33 members, of which nine (9) must be representatives of the community. The remaining membership is comprised of parents whose children are actively enrolled in the HS/EHS program. The HS/EHS Policy Council has recommended these individuals for appointment. (Head Start) Countywide (TKF)

6. BOARD APPOINTMENTS

C. COMMUNITY SERVICES
(Citizens Committee on Health & Human Services)

2. [Staff recommends motion to approve:](#) reappointment of four (4) members and appointment of three (3) members to the Palm Beach County Citizens Advisory Committee on Health and Human Services (CAC/HHS) for terms beginning on November 16, 2010 and expiring on the dates indicated below:

<u>Reappointment</u>			
<u>Nominee</u>	<u>Category/Seat No.</u>	<u>Term Expire</u>	<u>Nominated by:</u>
Nate Nichols	Health Services/Seat 2	9/30/13	Comm. Marcus/Taylor
Barbara Cox Gerlock	Health Services/Seat 3	9/30/13	Comm. Marcus/Taylor
Elizabeth Hernandez	Communication/Seat 6	9/30/13	Comm. Marcus/Taylor
Sandra Chamblee	Resident west 20 Mile/Seat 9	9/30/13	Comm. Marcus/Taylor
<u>Appointment</u>			
<u>Nominee</u>	<u>Category/Seat No.</u>	<u>Term Expire</u>	<u>Nominated by:</u>
James Titcomb	Human Services/Seat 4	9/30/13	Comm. Marcus/Taylor/ Abrams/Vana
Karen Dodge	Human Services/Seat 5	9/30/12	Comm. Marcus/Taylor
Pamela Gionfriddo	Support Services/Seat 11	9/30/11	Comm. Marcus/Taylor

SUMMARY: The Citizens Advisory Committee on Health and Human Services consists of eleven (11) members with at least one (1) member being a resident west of the 20 Mile Bend and at least one (1) member being a representative of the Palm Beach County League of Cities. Founding members were appointed for 1, 2 and 3 year terms with subsequent terms for three (3) years. Resolution R2001-0913 requires the Executive Committee of the Citizens Advisory Committee to solicit and recommend member nominations for transmittal to the Board of County Commissioners. Nominees Karen Dodge and Pamela Gionfriddo are completing the unexpired terms of Ms. Walters (expiring September 30, 2012) and Ms. Hanson (expiring September 30, 2011), respectively. The Board of County Commissioners was notified by memo dated September 10, 2010, and requested to provide nominations for appointment. Countywide (TKF)

6. BOARD APPOINTMENTS

C. COMMUNITY SERVICES
(Community Action Advisory Board)

3. Staff recommends motion to approve: appointment and reappointment of the following representatives to the Community Action Advisory Board for terms ending September 30, 2013:

<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
Alvin E. Colbert	Private Sector	9/30/13	Comm. J. Santamaria, Comm. K. Marcus
Valerie Mays	Low Income Sector	9/30/13	Comm. J. Santamaria, Comm. K. Marcus
<u>Reappointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
Vincent R. Goodman	Public Sector	9/30/13	Comm. J. Santamaria, Comm. K. Marcus
Gary B. Hawkins	Private Sector	9/30/13	Comm. J. Santamaria, Comm. K. Marcus
Elaine Gulley	Low Income Sector	9/30/13	Comm. J. Santamaria, Comm. K. Marcus, Comm. P. Taylor

SUMMARY: The Community Action Advisory Board (CAAB) is a 15 member board comprised of one third elected public officials or their representatives, with the remaining members being business, industry, labor, religion, law enforcement, education or other major groups in the community. On September 8, 2010 and October 12, 2010, written notice was sent to each Commissioner to request nominations. The nominees above meet all applicable guidelines and requirements outlined in Resolution R2009-1549. The CAAB has reviewed and approved the nominees listed above. (Community Action) Countywide (TKF)

(Head Start/Early Head Start Policy Council)

4. Staff recommends motion to approve: appointment of the following Community Representatives to the Head Start/Early Head Start Policy Council for terms of three (3) years effective November 16, 2010:

<u>Seat ID No.</u>	<u>Community Representative</u>	<u>Term Expire</u>	<u>Nominated By</u>
1	Karen Louise Hill-Simpson	11/15/13	Comm. Marcus/Taylor
2	Mickale Linton	11/15/13	Comm. Marcus/Taylor
3	Tamara Labre Starks	11/15/13	Comm. Marcus/Taylor
4	Marie Chantale Saget	11/15/13	Comm. Marcus/Taylor

SUMMARY: The term of appointment for representatives and alternates to the Head Start/Early Head Start (HS/EHS) Policy Council is three (3) years. The community representatives must represent major public or private agencies, community civic or professional organizations, or parents of former Head Start children. The Council is comprised of 33 members, of which 9 must be representatives of the community. The remaining membership is comprised of parents whose children are actively enrolled in the HS/EHS program. The HS/EHS Policy Council has recommended these individuals for appointment. (Head Start) Countywide (TKF)

D. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 16, 2010

7. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

NOVEMBER 16, 2010

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

Certificate of Appreciation from the Florida Division of Emergency Management for the County's support of Operation Haiti Relief.

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 - COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 – COMMISSIONER PRISCILLA A. TAYLOR

Proclamation declaring November 2010 as “Hilltop Missionary Baptist Church Month” in Palm Beach County.

Proclamation honoring the “75th Anniversary of the Greater Antioch Missionary Baptist Church” in Palm Beach County.

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 16, 2010

<u>PAGE</u>	<u>ITEM</u>	
15	3C-3	<u>DELETED:</u> Staff recommends motion to adopt: a Resolution authorizing the County Administrator and his designee: the County Engineer, Deputy County Engineer, Assistant County Engineer, Director of Roadway Production Division, Director of Engineering Services Division and Director of Traffic Division to execute construction agreements with the Florida Department of Transportation (FDOT). (Engineering) (Further staff review)
47	3AA-1	<u>REVISED TITLE:</u> Staff recommends motion to approve: A) Interlocal Agreement with the South Florida Regional Transportation Authority (SFRTA) for \$510,000 funding a portion of the cost of operating Route 94 for three (3) years; and B) Budget Amendment of \$510,000 in the Palm Tran Grant Fund to reconcile the Fiscal Year 2011 budget to account for this award <u>recognize the award and transfer \$127,500 (operating cost for one year) to the Palm Tran Operations Fund; and</u> C) Budget Amendment of \$127,500 in the Palm Tran Operations Fund to <u>recognize the transfer from the Palm Tran Grant Fund and appropriate it to Route 94. (Palm Tran)</u>
55	5E-1	<u>DELETED:</u> Staff recommends motion to approve: an Agreement with Rafael Montalvo, James Murley and Jean Scott for Facilitation Services related to Mining. Funding for this project is not to exceed \$36,000. The effective date of this Agreement is upon approval by the Board of County Commissioners with completion estimated to be August, 2011. (PZB) (Further staff review)
56	5F-1	<u>ADDED SUMMARY:</u> <u>This Ordinance has undergone extensive review by the Emergency Medical Services (EMS) Council, EMS Providers, and others agencies. There are nine (9) principal changes in this Ordinance. Should these changes be adopted, Section 9, Term and Assignability of Certificates will allow the Board the ability to extend the COPCNs of our current private ambulance providers (Medics, AMR) for up to four (4) years. Staff is recommending a three (3) year extension commencing on January 1, 2012 because the current two (2) ambulance providers have voluntarily agreed to forfeit their last year of their COPCN (which would have expired December 31, 2011) in order to permit Palm Beach County Fire Rescue to commence providing ALS/BLS services countywide starting in January 2011. Had the ambulance companies not forfeited their last year of eligibility, Palm Beach County Fire Rescue would have had to wait until January 1, 2012 to commence ALS/BLS county-wide. This three (3) year extension will negate the ability of other private EMS providers to submit an application to perform secondary provider ALS with BLS Inter facility transfer services until the three (3) year extension expires on December 31, 2015. Please refer to the executive summary for an explanation of the other eight (8) EMS Ordinance proposed changes. Countywide (DW) (Public Safety)</u>

56	5G-1	<p><u>ADD-ON:</u> Staff recommends motion to:</p> <p>A) approve the Federal FY 2011 Certifications and Assurances to be used in connection with all Federal assistance programs the Federal Transit Administration (FTA) administers during Federal Fiscal Year 2011; and</p> <p>B) authorize Palm Tran’s Executive Director and Assistant Executive Director, through the County Administrator, to electronically execute and file the required certifications and assurances, on behalf of the Board of County Commissioners, and to transmit the Board’s approval.</p> <p>SUMMARY: Palm Tran needs to execute and file the required annual certifications and assurances on behalf of the Board of County Commissioners before FTA may award a Federal grant or cooperative agreement. The applicant must provide to FTA all certifications and assurances pertaining to itself or its project as required by Federal laws and regulations. Selecting and submitting certifications and assurances to FTA, through FTA's Transportation Electronic Award and Management (TEAM) system signifies the county’s intent to comply with the requirements of those certifications and assurances to the extent they apply to a program for which the county submits an application for assistance in Federal Fiscal Year 2011. FTA’s Certifications and Assurances are generally pre-award requirements, i.e., those requirements of Federal law and regulations the Applicant must fulfill before FTA is legally authorized to award Federal financial assistance to an Applicant. FTA requires a current (Federal Fiscal Year 2011) attorney's affirmation of the Applicant's legal authority to certify compliance with the funding obligations in this document; the attorney's signature from a previous year is not acceptable. <u>Countywide</u> (DR) (Palm Tran)</p>
64	9G	<p><u>ADD-ON:</u> Request approval to present off-site, a Proclamation declaring December 1, 2010 as “World AIDS Day” in Palm Beach County. (Sponsored by Commissioner Taylor)</p>

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).